

CMS

Illinois Department of
Central Management Services

Policy Manual

February 2, 2012

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CMS POLICY MANUAL

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Policy Manual

Illinois Department of
Central Management Services

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Chapter 1

CODE OF ETHICAL STANDARDS

Subject **Ethical Standards**

Chapter 1

Section 1

Effective 09-01-98

Approved 

PREAMBLE

As the chief agency responsible for the management of state government, Central Management Services plays an important role in serving the agencies of state government and in assuring the accountability of governmental operations. Employees of Central Management Services, in the performance of their duties, execute a public trust which requires their adherence to the highest standards of ethical conduct. Adherence to such standards will promote the courteous, efficient, professional, and lawful delivery of services to the citizens of Illinois.

Courtesy • Employees of Central Management Services shall:

- treat all members of the public and other employees promptly, fairly, impartially, and with equal dignity;
- not discriminate against or harass any person on the basis of race, creed, color, sex, religion, age, national origin, or any disability.

Efficiency • Employees of Central Management Services shall:

- perform the assigned duties to the best of their abilities;
- perform the duties during working hours as scheduled;
- cooperate with other employees in the performance of required duties;
- during working hours, not be intoxicated, consume alcohol, or consume drugs prohibited by law.

Professionalism • Employees of Central Management Services shall:

- act with honesty and preserve confidentiality in the performance of their duties;
- not participate in political activity during working hours nor coerce others to engage in such activity;

- not advocate or promote specific professional or commercial services to the public in matters under the jurisdiction of Central Management Services;
- not engage in outside employment which conflicts with the performance of their duties.

Lawfulness • Employees of Central Management Services shall:

- obey government laws, ordinances, rules, and regulations;
- cooperate with other governmental agencies, and cooperate in any official investigations within or outside CMS;
- treat government property with due care;
- not use for personal gain their respective official positions or knowledge acquired through such official positions.

Subject **Rules of Conduct**
Chapter 1
Section 2
Effective 03-22-02 Approved 

This part of the CMS Policy Manual lists minimum Rules of Conduct for employees of the Department of Central Management Services. These Rules of Conduct are mandatory. Employees must be aware of the Rules of Conduct and their application, and must seek information from their supervisors in case of doubt or misunderstanding about the Rules.

It is the responsibility of each employee to familiarize himself/herself and comply with all agency Rules, employee conduct Rules, and written or verbal orders issued by proper authorities. It is also the responsibility of all staff to review their own departmental manuals, other available departmental manuals, and emergency procedures.

Breaking rules can incur disciplinary action. The agency has adopted a policy of corrective and progressive disciplinary action. This means that the agency will use the least serious measure of discipline, appropriate to the offense, to correct an employee's behavior. Corrective and progressive discipline can take the form of an oral reprimand, written reprimand, suspension or discharge.

For a serious violation of a rule, an employee may be suspended pending discharge, but formal charges for discharge of a certified and/or probationary employee must be approved and notice served on the employee by the Director.

An employee is entitled to know the reason for any disciplinary action taken against him/her.

A certified employee may appeal a discharge to the Civil Service Commission; a specific contractual employee may appeal to an arbitrator.

The Department of Central Management Services Conduct Rules are to be followed by all employees. Violation of any Rule will be grounds for disciplinary action up to and including discharge. The following Conduct Rules are not inclusive, and disciplinary action may result from other instances not specifically listed below:

Conduct Rules

1. Failure to abide by CMS Rules and Regulations.
2. Incompetency or inefficiency in the performance of a duty or inattention to or failure to perform a duty.

3. Insubordination by disobedience to any order or directive or disrespect toward a supervisor.
4. Unauthorized absence, excessive absenteeism or tardiness, including leaving work before quitting time and overstaying breaks or lunch periods.
5. Drinking any alcoholic beverages during working hours or coming to work under the influence of alcoholic beverages.
6. The use, manufacture, possession, control, sale, administration or dispensing of any compound of narcotic drugs or any narcotic drugs as defined by the Illinois Criminal Code.
7. Conviction of any felony.
8. Misuse or abuse of state working time for personal gain or for any reason other than performing the employee's assigned duties.
9. Theft, misuse, abuse, or conversion to personal use of state property or property belonging to another.
10. Participating in any political campaigning or activity while on duty, including the selling or buying of tickets, ads, or chances, or collection or distribution of any money, gifts or other goods of value, for political purposes.
11. Soliciting or accepting any gratuity, gift, present, reward or other thing of value in return for the performance of the employee's official duties, or as a condition for not performing such duties.
12. Any conduct or action taken to use the employee's official position for personal gain or influence.
13. Disorderly conduct during working hours, disrespect to or maltreatment of any person, including but not limited to harassment between a supervisor and fellow employee or among employees of the office.
14. Making a false report, written or oral, including all applications, timekeeping records and information regarding employment.
15. Cheating on or compromising examinations used for hiring or advancement by an applicant or employee.

16. Possession of explosives, firearms or other dangerous weapons on state properties, or attempting to bring same onto state premises, unless such possession is required in the regular course of an employee's job.
17. Conduct unbecoming a CMS employee.

Standards of Conduct

An Administrative Order issued by the Governor establishes procedures for reporting and investigating allegations of employee misconduct. These procedures apply whenever it is alleged that an official/member/employee of any executive agency under the Governor's jurisdiction may be engaged in illegal misconduct, corruption, conflicts of interest, malfeasance and misfeasance.

Employee misconduct should be reported to the bureau manager who will then report the offense to the Chief Legal Counsel and the Chief of Investigations, Office of Investigative Services. The Director has designated the agency's Chief Legal Counsel and the Chief of Investigations as liaisons with the Illinois State Police; therefore, the Chief Legal Counsel or the Chief of Investigations will file the referral with the Illinois State Police. All misconduct, including an offense that appears to be frivolous and not worthy of referral, should be reported to determine if it is worthy of referral to the State Police.

Any reports given verbally will be followed up in writing. The written report should include: the name of the employee, nature of the misconduct, and circumstances of alleged misconduct.

Handling of reports within the agency shall be confidential and restricted to a need-to-know dissemination. Once a complaint or allegation has been referred, no further attention should be given unless we are requested to do so by investigators.

No employee shall be discouraged or intimidated by threat or pressure when making a report of alleged misconduct. Persons interfering or retaliating are subject to discipline and possible discharge.

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Chapter 2

PERSONNEL

Subject **Dress Code**
Chapter 2
Section 1
Effective 09-01-98

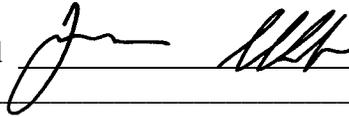
Approved 

An employee of Central Management Services will dress appropriately for the type of work he/she is performing.

Each bureau manager is responsible for supervision of the dress code.

Subject Attendance
Chapter 2
Section 2
Effective 12-07-09

Approved



Monthly Timekeeping Report

Each employee will receive a Monthly Timekeeping Report for review. Employees are to promptly review timesheets to determine whether they accurately reflect (a) time spent on official state business, and (b) authorized leave, to the nearest quarter hour. Rest periods permitted by Chapter 2.5 shall constitute official state business for the purposes of completing timesheets only, but lunch periods shall not constitute official state business for the purpose of completing timesheets.

If the timesheet is accurate, the employee shall sign the timesheet where indicated and return it to his or her timekeeper. If the timesheet is not accurate, the employee shall report this fact to his or her timekeeper so that a corrected timesheet, and any necessary leave slips, can be prepared for signature.

The Monthly Timekeeping Report is to be certified by the timekeeper and approved by the supervisor prior to submission to the Administrative and Regulatory Shared Services Center by the timekeeper. Each employee, supervisor, and timekeeper is responsible for proper compliance with agency timekeeping rules and procedures.

Daily Timesheet

For days on which an employee is not present at the work site, an Official Leave Request Form (CMS-207) should support time used for vacation, sickness, sickness in family, military, other earned benefit time, death in family, attendance in court, personal business, jury duty, furlough time, or other time as set forth on the CMS-207 form. Otherwise, the Travel Arrangements form (CMS-41) should support state business travel.

All CMS employees are required to complete an accurate, daily timesheet documenting the time spent on official state business to the nearest quarter hour. The daily timesheet must be submitted to the employee's supervisor for approval on a weekly basis. Once approved, the supervisor must submit the daily timesheets to the designated timekeeper for the bureau, who will then maintain the approved daily timesheets on behalf of the Chief Fiscal Officer for a period of at least 2 years. Employees should retain copies of their daily timesheets for their files.

Each employee and supervisor is responsible for proper compliance with agency timekeeping rules and procedures. Failure to comply with this policy may result in disciplinary action up to and including discharge.

Contract Employment

A contract for employment entered into after the effective date of this policy shall set forth terms and conditions for the completion of timesheets by the contract employee in substantial accordance with these requirements. A contract employee who fails to comply with such terms and conditions may be subject to immediate termination.

Each designated timekeeper shall maintain, on behalf of the Chief Fiscal Officer, all daily timesheets in either paper or electronic format for a period of at least 2 years.

Subject Absenteeism/Tardiness

Chapter 2

Section 3

Effective 09-01-98

Approved 

Absenteeism

It is important that an employee report to work promptly each day in accordance with his/her assigned work schedule. With the exception of sick leave or emergency personal leave, all time away from work must be approved in advance by the supervisor, or the supervisor's designee. Failure to report to work without proper authorization will cause an employee unauthorized absence and may result in disciplinary action. Failure to report to work for five consecutive days without notifying the supervisor is cause for discharge.

Tardiness, Extended Breaks, Early Departure

An employee is expected to arrive at work at the designated starting time and to leave the facility at the designated quitting time. An employee is also expected to remain at the work site throughout the shift, except during authorized rest periods or lunch breaks. Tardiness, taking extended rest periods or lunch breaks, and leaving work before the end of the work shift without authorization may be cause for disciplinary action up to and including discharge.

Subject **Flexible Schedules**
Chapter 2
Section 4
Effective 09-01-98 Approved 

In compliance with 20 ILCS 5/18, the Department of Central Management Services is open for the transaction of business at least from 8:30 a.m. until 5:00 p.m. each working day.

It is the policy of the State of Illinois and the Department of Central Management Services to approve flexible hours for state employees, when possible, without disrupting the efficiency and effectiveness of the work force, to reduce the need for day care outside the home for a child/children of an employee; and/or to accommodate other unusual needs of an employee.

Job Sharing

Job sharing is where a permanent full-time position is occupied by two employees, each working a relatively uniform portion of the schedule, sharing the salary and the employee benefits. Individuals working in shared positions are considered to be part-time employees and are governed by Rules or collective bargaining agreements applicable to part-time employees. Requests for shared jobs must designate the two employees who are to share the position. Requests for part-time positions as a flexible hour position must be specified, including the hours to be worked.

An employee who wishes to be placed on a flexible hour work schedule shall submit a request in writing to the immediate supervisor, indicating the hours requested and the reason for the request. Serious consideration will be given to each employee's request for flexible hour work schedules. Such a request shall be denied only when the requested hours are inconsistent with the operating needs of the bureau and division where the employee works.

The agency will approve flex hours only for days of equal length, with a minimum of 30 minutes and a maximum of 60 minutes for a lunch period. No schedule providing for a paid meal period will be approved. The requested hours must not require any additional expense on the part of the agency for the opening or delayed closing of an office. Requests for compressed work weeks (four-day work week) will be considered in light of the operating needs of the agency.

If a supervisor approves a request for a flexible hour work schedule, he/she will forward the request to the bureau manager. If the bureau manager approves the request, it will be forwarded to the CMS Personnel Officer for further review. If the schedule is approved, it will be sent to the chief timekeeper to become part of the timekeeping records.

It is the responsibility of the supervisor to assure that an employee on a flexible hour work schedule is adhering to the approved schedule and completing work assignments as directed. If an employee abuses a flexible hour work schedule through tardiness, early departure, or by failing to meet work standards or requirements, approval for the flex time may be withdrawn at the beginning of the following pay period.

Subject **Rest/Lunch Periods**
Chapter 2
Section 5
Effective 09-01-98

Approved 

Full-Time Employee

A full-time employee of the Department of Central Management Services is permitted two 15-minute rest periods during the day, one to be used during the first half of the scheduled work day and one during the second half, except as provided in a flex time schedule or as provided in bargaining unit agreements. A full-time employee is permitted a one-half hour or one-hour unpaid lunch period to be used at an approximate midway point in the work schedule.

Both rest periods and lunch periods shall be scheduled to allow for continuous operation of the office during established office hours. Time off for lunch or rest periods shall not be used to adjust starting or quitting time.

Part-Time Employee

A part-time employee is permitted rest and lunch periods based on the number of hours worked, and such periods shall be designated by the supervisory personnel.

Rest periods and lunch periods shall be scheduled to allow for continuous operation of the office during established office hours. Time off for lunch or rest periods shall not be used to adjust starting or quitting time.

Managers are responsible for ensuring that all sections and divisions within their jurisdiction prepare and follow a scheduling process designed to implement this policy.

An employee who does not return from scheduled lunch and rest periods at the designated time shall be in violation of the office policy on tardiness and may be subject to disciplinary action.

Subject **Overtime**
Chapter 2
Section 6
Effective 02-06-08

Approved 

Overtime is defined as work assigned and performed in excess of the approved work schedule. Except where required by law, time spent in travel shall not be considered overtime. Overtime will be limited to the actual needs of the agency when all other means of accomplishing a bureau or division mission have been exhausted. Determination of the rate of compensation for the overtime and whether compensatory time is appropriate must be made according to appropriate collective bargaining agreement, Pay Plan or Fair Labor Standards Act provisions.

For an employee not covered by the Fair Labor Standards Act or a collective bargaining agreement, eligibility for compensated overtime is limited to titles/positions designated by the Director.

Employees must complete and sign the CMS-259 Overtime Request and Report Form in advance, and the employee's immediate supervisor must review and approve the employee's request in advance of the time to be worked. An employee requesting compensation for performing overtime who has not received required approval may be subject to disciplinary action. If emergency situations prevent the completion of the CMS-259 form in advance, the employee must complete the form and secure supervisor's approval as soon as possible. Reference should be made on the form to the emergency situation.

Compensatory time shall be scheduled at the convenience of the agency after consideration of the employee's preference, but within the fiscal year during which such time was earned. If compensatory time is not used within that fiscal year, it will be paid for in cash at the end of the fiscal year.

Overtime assignments are a condition of employment. Refusal to work a mandatory overtime assignment may be cause for disciplinary action.

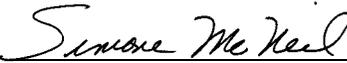
Subject Equivalent Earned Time
Chapter 2
Section 6.5
Effective 03-28-16 Approved 

The Equivalent Earned Time Policy pertains to those employees who are **non-union**, exempt under the Fair Labor Standards Act, and in positions not otherwise eligible for overtime compensation. With management's **prior** approval, employees in eligible job titles may receive Equivalent Earned Time (EET) for hours worked in excess of their regularly scheduled workweek.

Employees who are eligible for EET shall request such time before working in excess of their regularly scheduled workweek, and management may grant these requests **based on the agency's operational needs**. (Paid benefit time—sick, personal, vacation, holiday—will count towards meeting their regularly scheduled workweek.) EET shall be accrued at straight time only to a rolling maximum balance of 240 hours—an employee cannot exceed a balance of 240 hours of EET at any given time. Existing EET must be utilized and the remaining balance of EET be below 240 hours before additional EET may be earned. EET balances will not expire and may be carried over from one fiscal year to the next. EET will accrue in no less than one-quarter hour increments. Time spent in travel outside the normal work schedule shall **not** be counted toward accrual of EET.

Employees must request in eTime (or in the event an employee does not have an eTime account, on the CMS-259 Overtime Request and Report Form) in advance, and the employee's immediate supervisor must review and approve the employee's request in advance of the time to be worked. If emergency situations prevent the eTime submission or completion of the CMS-259 form in advance, the employee must request in eTime or complete the form and secure supervisor's approval as soon as possible. Reference should be made in the eTime submission or on the form to the emergency situation. An employee who wishes to use accrued EET must request in eTime or complete the CMS-207 Official Leave Request Form in advance and obtain its approval. EET may be used in one-quarter hour increments only after one - half hour has been used.

EET balances will not be converted to cash payment at any time. EET balances may transfer with the employee when moving from one agency to another. EET balances do not carry over with the employee when changing from an EET-eligible position to a bargaining unit title.

Subject **Personal/Vacation/Sick Leave**
Chapter 2
Section 7
Effective 01-01-15 Approved 

Personal Business Leave

An employee, except in emergency, per diem or temporary status, shall be permitted three personal days off each calendar year, with pay. In the event an employee does not use sick leave in any calendar year, the employee shall be awarded one (1) additional personal day on January 1 of the next calendar year. A part time employee who works at least half time shall be awarded pro-rated additional personal leave on January 1 when the employee has not used sick leave during the previous calendar year. An employee entitled to receive such time who enters service during the year shall be given credit for such leave at the rate of one-half day for each two months of service for that calendar year. Personal business time does not accumulate from year to year; it is forfeited if not used during the year in which it is earned.

Personal business time may be used for such occurrences as observance of religious holidays, holiday shopping, absence due to severe weather conditions, or for other similar personal reasons, but may be used to extend a holiday or vacation only with prior written supervisory approval.

Except when an emergency prevents it, an employee must request approval to use personal business time reasonably in advance of the date it will be used. Such requests will be approved when consistent with the operating needs of the bureau.

Personal business time may be used in no less than half-hour increments; supervisors may grant employee requests to use personal business time in quarter-hour increments after a minimum use of one-half hour.

A separating employee does not receive payment for unused personal business time, unless the separation is due to death, disability or retirement. In such cases, the payment is equal to one-half the employee's daily pay times the number of unused days.

Vacation Leave

Accumulation

A full-time employee earns vacation days at a rate based upon the employee's length of continuous service. The employee must be in pay status at least one-half of the workdays in a month to earn vacation for the month. Vacation earned in one month may not be used until the first day of the following month.

When an employee has had an interruption in continuous service, for the purpose of computing earned vacation, previous service will be counted as continuous with current service upon the employee's documented, written request.

An employee shall earn vacation time in accordance with the following schedule:

From the date of hire until the completion of 5 years of continuous service: 10 workdays per year.

From the completion of 5 years of continuous service until the completion of 9 years of continuous service: 15 workdays per year.

From the completion of 9 years of continuous service until the completion of 14 years of continuous service: 17 workdays per year.

From the completion of 14 years of continuous service until the completion of 19 years of continuous service: 20 workdays per year.

From, the completion of 19 years of continuous service until the completion of 25 years of continuous service: 22 workdays per year.

From the completion of 25 years of continuous service: 25 workdays per year.

The following table reflects the monthly accrual rate recorded in the timekeeping system:

YEARS OF SERVICE	0 – 5 YEARS	6 - 9 YEARS	10 – 14 YEARS	15 – 19 YEARS	20 – 25 YEARS	26+ YEARS
January	6:15	9:23	10:38	12:30	13:45	15:37
February	6:15	9:22	10:37	12:30	13:45	15:38
March	6:15	9:23	10:38	12:30	13:45	15:37
April	6:15	9:22	10:37	12:30	13:45	15:38
May	6:15	9:23	10:38	12:30	13:45	15:37
June	6:15	9:22	10:37	12:30	13:45	15:38
July	6:15	9:23	10:38	12:30	13:45	15:37
August	6:15	9:22	10:37	12:30	13:45	15:38
September	6:15	9:23	10:38	12:30	13:45	15:37
October	6:15	9:22	10:37	12:30	13:45	15:38
November	6:15	9:23	10:38	12:30	13:45	15:37
December	6:15	9:22	10:37	12:30	13:45	15:38
DAYS HOURS EARNED YEARLY	10 75:00	15 112:30	17 127:30	20 150:00	22 165:00	25 187:30

A part-time employee earns vacation on a prorated basis determined by a fraction based on the ratio of the hours actually worked by the employee to the total number of working hours in a year.

An employee may accumulate unused vacation time. However, vacation time that is not used within 24 months of the calendar year in which it is earned will be forfeited.

Use

An employee shall request the use of vacation time in advance of the date(s) it is planned to be used. In approving use of vacation time, supervisors shall consider both the employee's preference and the operating needs of the bureau.

Vacation time may be used in increments of not less than one-quarter hour after a minimum use of one-half hour any time after it is earned.

Upon separation of employment, and provided the employee is not employed in another position in state service within four calendar days, an employee is entitled to receive a lump sum payment for the equivalent value of vacation time earned but not used, provided the employee has at least six months of continuous service. However, if the employee returns to employment in any capacity with the Department of Central Management Services within 30 calendar days of separation, the employee must repay the lump sum amount within 30 calendar days after employment commences. The amount repaid shall be deposited into the fund from which the payment was made or the General Revenue Fund, and the accrued vacation leave upon which the lump sum payment was based shall be credited to the account of the employee.

No person may enter into an agreement to reemploy an employee in the same agency after resignation for the purpose of receiving payment for accumulated vacation, overtime, sick leave or personal leave and refund of retirement monies.

Sick Leave

Accumulation

An employee shall accumulate sick leave at the rate of one day for each month's service, except in emergency, intermittent, per diem or temporary status, unless such status is the result of accepting a non-permanent working assignment in another classification.

An employee with more than two years of continuous service, whose personnel records warrant it, may be advanced up to ten working days of paid sick leave with the written approval of the Director. The advance will be charged against sick leave accumulated after the employee returns to service.

Use

Sick leave may be used for illness, disability or injury, appointments with doctor, dentist or other professional medical practitioner, and also may be used in the event of serious illness, disability, injury or death of a member of the employee's immediate family.

The definition of immediate family for sick leave purposes is:

A group of individuals living under one roof, having one head of the household and usually, but not always, having a common ancestry and such members of the employee's family as his/her father, mother, brother, sister, son, daughter, spouse, and civil union partner. The term also includes adoptive, custodial and "in-law" individuals when residing in the employee's household.

For bereavement purposes, for attendance at funerals, the term immediate family also includes:

Grandparents, grandchildren, parents-in-law, brothers or sisters-in-law, and children-in-law. This expansion of the term immediate family is for bereavement purposes only.

CMS may require evidence to substantiate that such sick days were used for the purposes herein set forth for periods of absence of ten consecutive workdays or less, or in cases of chronic use of sick time. For periods of absence of more than ten consecutive workdays, the employee shall provide verification for such absence.

In the event an employee does not use sick leave in any calendar year, the employee shall be awarded one (1) additional personal day on January 1 of the next calendar year. A part-time employee who works at least half time, shall be awarded pro-rated additional personal leave on January 1 when the employee has not used sick leave during the previous calendar year. Such additional personal day shall be used in accordance with personal business time.

Sick time may be taken in increments of not less than one-quarter hour after a minimum use of one-half hour any time after it is earned.

An employee is to request approval of the use of leave in eTime (or in the event an employee does not have an eTime account, on the Official Leave Request Form (CMS-207)) reasonably in advance of the time it will be used, except when the use of unscheduled sick leave is necessary because of a sudden illness or medical emergency. An employee must notify the supervisor or other designated person within one hour of the start of the scheduled work shift; however; for long-term illnesses an acceptable physician's statement may be utilized in lieu of calling in daily.

An employee who is a veteran shall be permitted four days per year to visit a veteran's hospital for examination of a military service connected disability. Documentation that the visit was related to a military service connected disability may be required. The four days shall not be charged against any sick leave available to the employee.

Payment in Lieu of Sick Leave

Upon termination of employment for any reason, or upon indeterminate layoff, and provided the employee is not employed in another state position within four calendar days, an employee or the employee's estate is entitled to receive a lump sum payment for the equivalent value of half the sick days earned but not used on or after January 1, 1984 and prior to January 1, 1998.

An employee who is reemployed, reinstated or recalled from indeterminate layoff and who received lump sum payment in lieu of unused sick days will have such days restored provided the employee repays upon return to active employment the gross amount paid by the State for the number of days to be so restored to the employee's sick leave account.

The accrued leave amount shall be certified in writing to the employee by CMS. This certification may be held by the employee or forwarded to the Retirement System.

No person may enter into an agreement to reemploy an employee in the same agency after resignation for the purpose of receiving payment for accumulated vacation, overtime, sick leave or personal leave and refund of retirement monies.

Sick Leave Bank

CMS has established a sick bank for its employees. A review committee established within Central Management Services determines employee eligibility pursuant to the guidelines. For claims from an employee under a collective bargaining agreement the committee shall consist of one union representative and two CMS representatives. For claims from a non-bargaining unit employee the committee shall consist of three CMS representatives. Any decision made herein shall be final and binding.

The definition of catastrophic illness or injury shall be as follows: Sick Leave Banks are intended to cover a temporarily disabled or incapacitated employee or members of the immediate family as defined herein resulting from a life threatening illness or injury or illness or injury of other catastrophic proportions. Documentation of such catastrophic illness or injury shall be consistent with applicable rules and/or contractual provisions. The definition of immediate family shall be spouse, parent, civil union partner and children or any person living in the employee's household for whom the employee has custodial responsibility or where such person is financially and emotionally dependent on the employee and where the presence of the employee is needed.

Eligibility Requirements:

An employee must have a minimum of five (5) days of accumulated sick time on the books to enroll in the Sick Leave Bank and must have donated at least one (1) day of sick leave to become a member; however, an employee may donate additional days as desired at the time of enrollment or any time thereafter.

A participating employee must be a full-time CMS employee with a minimum of six months service and must have exhausted all available leave time.

An employee may use up to 25 days from the Sick Leave Bank per calendar year.

An employee may voluntarily enroll at any time pursuant to eligibility requirements but must wait 60 calendar days after enrollment before utilizing the Sick Leave Bank.

A participating employee who transfers from one agency to another shall thereby transfer his/her participation in the Sick Leave Bank. The days donated do not transfer.

No employee shall be permitted to withdraw the sick leave time he or she has contributed to the bank.

Abuse of the use of the Sick Leave Bank will be investigated by the agency and upon a finding of wrongdoing on the part of a participating employee, that employee shall repay all sick leave days drawn from the Sick Leave Bank and shall be subject to other disciplinary action. Information regarding the alleged misuse of the Sick Leave Bank shall be provided to the Union members of the Committee prior to the initiation of any action against the employee.

Upon separation, retirement, or death, neither a participating employee nor the participating employee's estate shall be entitled to payment for unused sick leave donated or acquired from the Sick Leave Bank.

An employee who has an injury/illness that is being compensated under the Workers' Compensation Act or Workers' Occupational Diseases Act shall not be eligible for Sick Leave Bank use.

Maternity/Paternity and Adoption Leave

All employees who provide proof of their pregnancy or that of their female partner at least thirty (30) days prior to the expected due date will be eligible for four (4) weeks (twenty [20] consecutive work days) of paid maternity/paternity leave. Should both parents be employees covered by the Personnel Code, they shall be limited to a total of four (4) weeks (twenty [20] work days) between them. No employee will be allowed to take less than a full work week (five [5] consecutive days). The State shall require proof of the birth. Maternity and/or

paternity leave shall be limited to one (1) leave per family for each pregnancy resulting in birth or multiple births. In addition, non-married male employees may be required to provide proof of paternity such as a birth certificate or other appropriate documentation confirming paternity.

All employees are eligible for four (4) weeks (twenty [20] consecutive work days) of paid leave with a new adoption, with the leave to commence when physical custody of the child or children has been granted to the employee, provided that the employee can show that the formal adoption process is underway. Should both adoptive parents be employees covered by the Personnel Code, they shall be limited to a total of four (4) weeks (twenty [20] work days) between them. No employee will be allowed to take less than a full work week (five [5] consecutive days). The agency personnel office must be notified and the employee must submit proof that the adoption has been initiated. Adoption leave shall be limited to one (1) leave per adoption.

Maternity/paternity leave is for the purpose of bonding with the new member of the household.

Leave in the Event of a Stillborn Child

All employees who provided proof of their pregnancy or that of their female partner at least thirty (30) days prior to the expected due date will be eligible for four (4) weeks (twenty consecutive [20] work days) of paid leave in the event of a full-term stillborn child. CMS shall require proof of a stillbirth, such as a fetal death certificate or certificate of stillbirth. This leave shall be limited to one (1) leave per family for each stillbirth. Should both parents be employees covered by the Personnel Code, they shall be limited to a total of four (4) weeks (twenty [20] work days) between them. No employee will be allowed to take less than a full work week (five [5] consecutive days). In addition, non-married male employees may be required to provide proof of paternity.

Subject **Holidays**
Chapter 2
Section 8
Effective 09-01-98

Approved 

The agency recognizes certain holidays each calendar year. The list of holidays to be observed annually is published by the agency. An employee who is scheduled to work full time receives full holiday pay if he/she works on his/her last scheduled work day before and the first scheduled work day following the holiday, or if absence on either or both of these days is for good cause and approved by the agency. Payment for holidays worked will be as specified by appropriate union contract or Personnel Rules.

Subject **Inclement Weather**

Chapter 2

Section 9

Effective 09-01-98

Approved 

When work sites are open but weather prevents an employee from reaching the work site, he/she must account for such absence by use of accrued time such as vacation time, personal business time, accrued compensatory time or by excused absence without pay. When a determination of inclement weather has been made, an employee may use personal business time in one-hour increments.

When work sites are closed after the start of a work shift by order of the Governor or Director of Central Management Services because of inclement weather, an employee shall be released with pay for the balance of that shift. When work sites are closed with notice prior to the beginning of a shift, an employee must utilize his/her own time. An employee who had previously arranged to be absent on a day when a work site is closed will be charged for the amount of leave time that had been scheduled to be used.

If an employee chooses to save vacation time, and thereby forfeit pay for the time lost due to inclement weather, he or she will be allowed to do so. Sick leave may not be used to cover absence due to inclement weather.

Subject **Personnel Files**
Chapter 2
Section 10
Effective 09-01-98 Approved 

Supervisor's personnel files are maintained at each supervisor's office in a manner which ensures appropriate security and confidentiality. The supervisor's personnel files shall contain only job-related information. In addition, the Department of Central Management Services Office of Internal Personnel shall keep and maintain official employee personnel files. These files are available for review by appropriate parties by request.

Subject **Employee Evaluation**

Chapter 2

Section 11

Effective 09-01-98

Approved 

An employee evaluation is an important tool for both the employee and employer. It helps the employee set challenging yet realistic objectives, and provides necessary feedback. The supervisor should work with the employee to develop appropriate objectives, and to define criteria for evaluating performance toward those objectives.

Through the evaluation process, an employee may make substantial improvements over past performance, thereby making a significant contribution to the mission of the agency. Also through the evaluation process, the agency is able to refine and coordinate its objectives and to analyze each employee's performance and contribution to the agency.

Each evaluation must be discussed with the employee and the employee will receive a copy. The evaluation becomes part of the official documentation of employee performance, and may be used to support a personnel transaction or disciplinary action.

Participation in the evaluation process is a requirement for all CMS employees. Evaluations take place every 12 months, unless otherwise specified under the Personnel Rules. Supervisors are encouraged, however, to utilize the evaluation process more frequently to reflect outstanding employee performance, markedly improved employee performance or deteriorating performance.

All CMS employees under the Merit Compensation and Performance System will use Form CMS-201MC. Management staff is responsible for proper completion and routing for higher level approval of the Merit Compensation Recommendation Form and Form CMS-201MC. Other CMS employees will use Form CMS-201R.

Subject **Grievance Procedures**
Chapter 2
Section 12
Effective 09-01-98 Approved 

If an employee has a complaint regarding a difference of opinion with the immediate supervisor or conditions of employment, he/she can receive consideration by following the appropriate grievance procedures.

Most employees are in job classifications which are included in a bargaining unit governed by a specific contract between the State of Illinois and the bargaining representative. Employees are also subject to the Department of Central Management Services Rules. An employee should first attempt to resolve the concern with the immediate supervisor. If the grievance cannot be resolved at this level, refer to the grievance procedure outlined in the applicable contractual bargaining agreement or the Personnel Rules.

The CMS personnel officer, labor relations administrator, or employee organization representative will provide assistance in the appropriate procedures for filing a grievance.

Subject **Employee Separation**
Chapter 2
Section 13
Effective 09-01-98 Approved 

All state owned items must be returned to the State when an employee separates service with the Department of Central Management Services.

The bureau is responsible for notifying the Office of Internal Personnel of an employee leaving the agency. The Office of Internal Personnel will process separation forms and notify the Payroll Office to process accrued leave time and deduction discontinuance forms.

Supervisors are responsible for collecting a separated employee's telephone credit cards, door and desk keys, parking lot stickers, Data Center admittance cards, identification cards, vehicles, and special equipment. The supervisor is also responsible for contacting the Data Processing Manager if the employee had terminal or operator access to databases.

The Personnel and Payroll Officers of CMS are responsible for preparing and certifying to the employee the status of accrued vacation, sick leave, and other compensable leave time, as well as for preparing forms for separation from state service, discontinuance of savings bonds, deferred compensation, charity contributions, etc.

Subject **Smoking Policy**

Chapter 2

Section 14

Effective 09-01-98

Approved 

The Department of Central Management Services is in compliance with the Illinois Clean Indoor Air Act by prohibiting smoking in all CMS work locations, except for designated smoking areas at each work location.

Employee questions concerning the location of the designated smoking areas should be directed to the supervisor.

Failure to follow the provisions of the Smoking Policy is a violation of CMS policy and state law which may result in progressive disciplinary action.

Cooperation is appreciated in following these guidelines; it will improve the work environment for smokers and non-smokers and respect the rights of co-workers and visitors at CMS.

Subject **Drug/Alcohol Abuse**

Chapter 2

Section 15

Effective 09-01-98

Approved 

Drug and alcohol abuse is a serious problem in the workplace. It affects a person's physical and mental capabilities and inhibits a person from functioning productively on the job. From a safety perspective, an employee under the influence of drugs or alcohol while at work may impair the well-being of other employees, the public at large, and/or may cause damage to state property.

It is the policy of the State of Illinois that the unlawful manufacture, distribution, dispensation, or possession of a controlled substance or alcohol in the workplace or while performing the duties of a state job is strictly prohibited. An employee violating this policy will be subject to discipline up to and including discharge. A Central Management Services employee who uses alcohol, narcotics, or other habituating drugs during office hours, or who reports to work under their influence, is subject to dismissal. Also, an employee who possesses or is under the influence of drugs during non-work hours in such a manner that brings adverse criticism to CMS may be discharged.

An employee suspected of being under the influence of alcohol or drugs shall not be permitted to remain at work.

Specifics of this policy are:

An employee is expected and required to report to work on time and in appropriate mental and physical condition to perform the duties of his/her job. It is the intention and obligation of the State of Illinois, Department of Central Management Services, to provide a drug-free, healthful, safe and secure work environment.

The State of Illinois does not differentiate among those employees who unlawfully use, manufacture, distribute, dispense or possess a controlled substance or alcohol in the workplace. An employee found to be illegally using, making, or transferring a controlled substance or alcohol while on the job will be subject to discipline up to and including discharge, and may be subject to legal consequences. In addition, the State may also require the employee to successfully complete a drug and/or alcohol abuse program sponsored by an approved private or governmental institution.

The State of Illinois recognizes drug and/or alcohol dependency as an illness and a major health problem. The State further recognizes drug and/or alcohol abuse as a potential health, safety and security problem. An employee needing assistance in dealing with such a problem(s) is encouraged to use the State Employee Assistance Program and health insurance plans, as appropriate.

All discussions with Employee Assistance Program staff shall be kept confidential. Conscientious efforts to seek such help will not jeopardize the employee's job nor will it be noted in any personnel record. However, referral to the Employee Assistance Program in no way exempts an employee from discipline for less than acceptable job performance.

Each employee is required by law to inform the State of Illinois of any conviction he or she receives under a criminal drug statute for violations occurring on or off state premises while conducting business of the State of Illinois. A written report of such conviction must be made and submitted to the Personnel Officer within five days after the conviction. A conviction means a finding of guilt (including a plea of "nolo contendere") or the imposition of a sentence by a judge or jury in any federal or state court.

Subject **Paid Time Off**
Chapter 2
Section 16
Effective 09-01-98

Approved 

Time Off for Tests

A certified employee is allowed up to two one-half days per calendar year to take skill tests required for promotional grades. An employee shall provide reasonable prior notice and such requests shall be subject to the operating needs of the agency. Supervisors are responsible for monitoring this time.

Time Off for Blood Donations

An employee will be given one hour, in addition to his/her scheduled lunch hour, to donate blood. An employee will be given two hours, in addition to his/her scheduled lunch hour, to donate blood platelets.

Time Off for Court Attendance

Any permanent employee called for jury duty or subpoenaed by any legislative, judicial or administrative tribunal, shall be allowed time away from work with pay for such purposes in accordance with appropriate union contract or Personnel Rules. The agency will not ask an employee to be excused from jury duty except in cases of necessity. Supervisors should request that an employee be excused from jury duty in those instances where their services are required to meet essential work schedules and where public interests are better served by the employee remaining on duty.

Upon receiving the sum paid for jury service or witness fee, the employee shall submit the warrant, or its equivalent, to the agency to be returned to the fund in the State Treasury from which the original payroll warrant was drawn. However, an employee may elect to fulfill such call or subpoena on accrued time off and personal leave and retain the full amount received for such service.

Subject Leaves of Absence
Chapter 2
Section 17
Effective 03-22-02 Approved 

Disability Leave

An employee who is unable to perform a substantial portion of his/her regularly assigned duties due to temporary physical or mental disability shall upon request be granted a disability leave of absence for the duration of such disability. A substantial portion of regularly assigned duties means those duties or responsibilities normally performed by the employee which constitute a significant portion of the employee's time or which constitute the differentiating factors which identify that particular position from other positions.

If the disability does not arise out of or in the course of employment, the leave is called non-occupational disability leave. Leave for an occupational disability is one in which the employee's injury or illness arises out of or in the course of employment. To be eligible for occupational disability leave, the employee must be on a Workers' Compensation payroll.

In granting a disability leave, the following standards shall apply:

A request for disability leave shall be in writing except when the agency is advised by other appropriate means of the employee's disability.

Except for occupational disability, the employee shall have exhausted available sick leave prior to being granted a disability leave. See Chapter 2, Section 20, regarding Work Related Injuries for more details on occupational disability.

During a disability leave, the disabled employee shall provide a Physician's Statement Form (CMS-95) with written verification by a person licensed under the Illinois Medical Practices Act or under similar laws of Illinois or of other states or countries or by an individual authorized by a recognized religious denomination to treat by prayer or spiritual means; such verification shall show the diagnosis, prognosis and expected duration of the disability. Such verification shall be made at least every 30 days during a period of disability, unless the nature of the disability precludes the need for such frequency of verification.

As soon as an employee becomes aware of an impending period of disability, he/she shall notify the appropriate supervisor of such disability and provide a written statement by the attending physician of the approximate date(s) the employee will be unable to perform regularly assigned duties.

If the agency has reason to believe that the employee is able or unable to perform a substantial portion of regularly assigned duties, it may seek and rely upon the decision of an impartial physician chosen by agreement of the parties or in the absence of such agreement upon the decision of an impartial physician selected by the agency.

Failure of an employee to provide verification of continued disability upon reasonable request shall on due notice cause termination of such leave.

An employee's disability leave shall terminate when he/she is able to perform regularly assigned duties.

An employee is no longer temporarily disabled when he/she is able to perform regularly assigned duties upon advice of the appropriate authority or, in the absence of such authority, the attending physician.

An employee is no longer temporarily disabled when he/she is found to be permanently disabled and unable to perform a substantial or significant portion of regularly assigned duties by the appropriate authority, or in the absence of such authority, by the attending physician.

In determining whether to discharge an employee for failure to return from a disability leave or for physical inability to perform the duties of a position, the agency may seek and rely upon the advice of the State Employees Retirement System or other appropriate authority, including an impartial physician selected in accordance with the above.

An employee no longer has a temporary occupational disability if he/she can return to work with short-term, minor restrictions on physical activity. However, there must be needed work to be done, which the employee can safely perform within the position description to separate disability in this manner.

An employee who returns from a disability leave of six months or less shall be returned by the agency to the same or similar position in the same class in which the employee was incumbent at the time the leave commenced.

When an employee returns from a disability leave exceeding six months and there is no vacant position available in the same class held by the employee at the commencement of such leave, he/she may be laid off in accordance with the Rules on Voluntary Reduction and Layoff, unless such leave resulted from service connected disability, in which case the employee shall be returned to employment as in the section above.

An employee who is on disability leave while in temporary or emergency status, shall be eligible for such leave for the balance of the appointment and shall earn or accrue no other leave. However, if the employee is in a temporary or emergency status as a result of an approved leave to accept such a position, this restriction does not apply.

Return to Work Following Temporary Disability

Non-Occupational Disability

An employee disabled from regular job duties as the result of a non-work related injury or illness shall be returned to duty the first scheduled work day following the release date specified by the treating or consulting physician as stated on the Physician's Statement Form (CMS-95).

In any case involving a work release date that is contingent upon temporary or permanent work restrictions, the agency shall make every reasonable effort to provide suitable work within the prescribed restrictions and prevailing labor agreements.

When there are conflicting medical releases, the agency will rely on the recommendation of the Bureau of Personnel for a determination of continued leave status. In the event the employee is receiving non-occupational disability payments from the State Employees Retirement System, the determination will be made if monetary compensation will be continued or stopped.

Service Connected Disability

An employee disabled from regular job duties as the result of a work-related injury shall be returned to duty the first scheduled work day following the release date specified by the treating or consulting physician. If the physician has released the employee to return to work with specific, temporary physical restrictions (six months or less), the agency will make every reasonable effort to provide suitable work within the imposed limitations and prevailing labor agreements. When there are conflicting medical releases, the agency will rely on the recommendation of the Division of Risk Management, which may be subject to appeal to the Illinois Industrial Commission.

The following directives provide the mechanisms to achieve the agency's goals of promoting a productive work environment, minimizing expenditures, as well as providing an employee the opportunity to be an integral part of the agency's success:

When it has been determined that eliminating or modifying a portion of an employee's job duties solely because work related injury will not erode the position classification, Risk Management will provide a Restricted Duty Verification document, as well as an outline of the specific restrictions that have been imposed by the treating or consulting physician, to the employee's immediate supervisor and to the employee. The supervisor, at that point, will ascertain whether or not the job modification or reassignment is feasible.

If not, the supervisor verifies the unavailability of employment by signing and dating the document and returning it to the Division of Risk Management. If employment is

available, the specific parameters of the job will be explained to the employee and the employee will be directed to return to work.

Every reasonable effort will be made to provide the same general working schedule and conditions that preceded the employee's inability to work as a result of the accident. In addition, when providing employment, it is understood that it is temporary in nature and not to be construed as a permanent assignment.

If the supervisor has verified that no accommodations can be made for the specific restrictions, the Division of Risk Management will forward the Restricted Duty Verification and related documents to the next higher level of management. Each subsequent level of management (up to and including the Director's Office) must then either accommodate the medically-imposed restrictions, or verify the unavailability of a position the employee could perform.

If an employee is injured while in the restricted duty assignment, the accident is treated as a new injury and all the rules and procedures of the Workers' Compensation Act (Ill. Rev. State., Ch. 138), the Occupational Diseases Act (Ill. Rev. State., Ch. 172), and the CMS Division of Risk Management will apply. It is also understood that during the period of restricted duty, all applicable provisions of the appropriate bargaining unit agreements will remain in effect.

When temporary modification or reassignment is achieved, and the treating or consulting physician extends the duration of the physical restrictions beyond six months, each case will be reviewed by the Divisions of Risk Management and Labor Relations to determine if vocational placement should be implemented.

If any questions should arise concerning job modification or reassignment during the process, both the Division of Risk Management and the Division of Labor Relations should be contacted to answer and resolve any bargaining unit issues or concerns.

Family Responsibility Leave

- A. An employee who wishes to be absent from work in order to meet or fulfill responsibilities, as defined below, arising from the employee's role in his or her family or as head of the household will normally, upon request and in the absence of another more appropriate form of leave, be granted a Family Responsibility Leave for a period not to exceed one year. Such request shall not be unreasonably denied. The Director will consider whether the need for the family responsibility leave is substantial, whether the action is consistent with the treatment of other similar situations and whether the action is equitable in view of the particular circumstances prompting the request.
- B. Any request for such leave shall be in writing by the employee not less than 15 calendar days in advance of the leave unless such notice is precluded by emergency conditions,

stating the purpose of the leave, and the expected duration of absence.

- C. Such leave shall be granted only to a permanent full-time employee or permanent part-time employee, except that an intermittent employee shall be non-scheduled for the duration for the required leave. An employee in temporary, emergency, provisional, or trainee status shall not be granted such leave.
- D. 'Family Responsibility' for purposes of this Section is defined as the duty or obligation perceived by the employee to provide care, full-time supervision, custody or nonprofessional treatment for a member of the employee's immediate family or household under circumstances temporarily inconsistent with uninterrupted employment in state service. [20 ILCS 415/8c(5)].
- E. 'Family' has the customary and usual definition for this term for purposes of this Section, that is:
 - 1) group of two or more individuals living under one roof, having one head of the household and usually, but not always, having a common ancestry: and including the employee's spouse;
 - 2) such natural relation of the employee, even though not living in the same household, as parent, sibling, or child; or
 - 3) adoptive, custodial and 'in-law' individuals when residing in the employee's household but excluding persons not otherwise related of the same or opposite sex sharing the same living quarters but not meeting any other criteria for 'family.'
- F. Utilization of any accrued sick time before family responsibility leave commences is left to the discretion of the employee.
- G. Standards for granting a Family Responsibility Leave are:
 - 1) to provide nursing and/or custodial care for the employee's newborn infant, whether natural born or adopted;
 - 2) to care for a temporarily disabled, incapacitated or bedridden resident of the employee's household or member of the employee's family;
 - 3) to furnish special guidance, care or supervision of a resident of the employee's household or member of the employee's family in extraordinary need thereof;
 - 4) to respond to the temporary dislocation of the family due to a natural disaster, crime, insurrection, war or other disruptive event;

- 5) to settle the estate of a deceased member of the employee's family or to act as conservator, if so appointed, and providing the exercise of such functions precludes the employee from working; or
- 6) to perform family responsibilities consistent with the intention of this section but not otherwise specified.

Continuation of health insurance benefits under the Federal Family and Medical Leave Act of 1993:

The State will continue to pay its portion of the employee's health insurance benefits for a period of up to six (6) months *if* the employee meets the requirements of the Federal Family and Medical Leave Act of 1993 (FMLA). The employee will be required to pay his/her portion of the health insurance benefits. The Family Responsibility Leave situations that will be eligible for the State's payment of its portion of the health insurance benefits, assuming the employee meets the requirements of the FMLA, are as follows:

- 1) to provide nursing and/or custodial care for the employee's newborn infant, or for the placement with the employee of a child for adoption or foster care;
- 2) to care for a temporarily disabled, incapacitated or bedridden spouse, child or parent with a serious health condition; or
- 3) to care for employee's own serious health condition.

The State will not pay its portion of health insurance for the other Family Responsibility Leave situations. Accordingly, the employee will be required to pay the full premium amount in order to continue his/her health insurance while on leave in those situations.

** Please refer to Page 7 of this chapter for additional details.

- H. The agency shall require substantiation or verification of the need by the employee for such leave; the substantiation or verification shall be consistent with and appropriate to the reason cited in requesting the leave, such as:
 - 1) a written statement by a physician or medical practitioner licensed under the Medical Practice Act of 1987 [225 ILCS 60] or under similar laws of Illinois or of another state or country or by an individual authorized by a recognized religious denomination to treat by prayer or spiritual means. Such verification should show the diagnosis, prognosis and expected duration of the disability requiring the employee's presence;
 - 2) a written report by a social worker, psychologist or other appropriate practitioner concerning the need for close supervision or care of a child or other family member;

- 3) written direction by an appropriate officer of the courts, a probation officer or similar official directing close supervision of a member of the employee's household or family; or
- 4) an independent verification substantiating that the need for such leave exists.
- I. Such leave shall not be renewed; however, a new leave may be granted at any time for any reason consistent with the standards for granting a Family Responsibility Leave, other than that for which the original leave was granted.
- J. If the agency has reason to believe that the condition giving rise to the given need for such leave no longer exists during the course of the leave, it will require further substantiation or verification and, if appropriate, direct the employee to return to work on a certain date.
- K. Failure of an employee, upon request by the agency to provide such verification or substantiation is cause on due notice for termination of the leave.
- L. Such leave shall not be used for the purpose of securing alternative employment. An employee during such leave may not be gainfully employed full time, otherwise the leave shall be terminated.
- M. Upon expiration of a Family Responsibility Leave, or prior to such expiration by mutual agreement between the employee and the agency, the agency shall return the employee to the same or similar position classification that the employee held immediately prior to the commencement of the leave. If there is no such position available, the employee will be subject to layoff in accordance with existing rules on voluntary reduction and layoff.
- N. Nothing in this section shall preclude the reallocation or abolishment of the position classification of the employee during such leave nor shall the employee be exempt from the rules relating to voluntary reduction and layoff by virtue of such leave.

Family and Medical Leave Act of 1993

If you have been employed by the State for at least twelve (12) months and you have worked at least 1,250 hours during the 12-month period preceding the start of the leave, you are eligible for up to a total of twelve (12) workweeks of unpaid leave during any rolling twelve (12) month period for one or more of the following reasons:

- a. Because of the birth of your child and in order to care for such child (within 12 months after the birth of the child);
- b. Because of the placement of a child with you for adoption or foster care (within 12 months of the placement of the child);

- c. In order to care for your spouse, child, or parents if they have a "serious health condition"; or
- d. Because of a "serious health condition" that makes you unable to perform the functions of your job.

The federal law provides for FMLA leaves of absence to be unpaid. However, you may qualify for additional benefits under other State leave policies. If your spouse also works for the State and you both become eligible for a leave under paragraphs a. or b. above, or for the care of a sick parent under paragraph c. above, the two of you together will be limited to a combined total of twelve (12) workweeks of leave in any rolling 12-month period.

Coordination with Other Policies - You may substitute any accrued paid vacation days, personal leave, or sick leave for unpaid leave under this policy, and any such paid time off must be taken concurrently with your Family and Medical Leave. If you otherwise qualify for disability pay or other leave benefits, you will collect it at the same time you are on Family and Medical Leave. Similarly, if you otherwise qualify for any other type of leave of absence, that leave must be taken concurrently with your Family and Medical Leave. All time missed from work that qualifies for both Family and Medical Leave, and for workers' compensation, will be counted toward the employee's 12 weeks of FMLA leave.

Medical Certification - Any request for a leave under paragraphs c. or d. above, must be supported by certification issued by the applicable health care provider. You may obtain a certification form from your personnel officer.

At its discretion, the State may require a second medical opinion and periodic recertification to support the continuation of a leave. If the first and second opinions differ, a third opinion can be obtained from a health care provider jointly approved by both you and your employing agency.

Serious Health Condition - For purposes of this policy, "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves one of the following:

- a. Hospital Care Inpatient care in a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care relating to the same condition;
- b. Absence Plus Treatment A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves either: 1) treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider; or 2) treatment by a health care provider on at least one occasion

which results in a regimen of continuing treatment under the supervision of the health care provider;

- c. Pregnancy Any period of incapacity due to pregnancy, or for prenatal care;
- d. Chronic Conditions Requiring Treatment A chronic condition which requires periodic visits over an extended period of time for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider; and may cause episodic rather than a continuing period of incapacity.
- e. Permanent/Long-term Conditions Requiring Supervision A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider.
- f. Multiple Treatments (non-chronic conditions) Any period of absence to receive multiple treatment (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.

Intermittent Leave - If certified as medically necessary for the serious health condition of either you or your spouse, child or parent, leave may be taken on an intermittent or reduced schedule. If leave is requested on this basis, however, you may be required to transfer temporarily to an alternative position which better accommodates recurring periods of absence or to a part-time schedule, provided that the position offers equivalent base pay and benefits.

Notification and Reporting Requirements - All requests for leaves of absence must be submitted to your supervisor in writing at least thirty (30) days in advance of the start of the leave (except when the leave is due to an emergency or is otherwise not foreseeable). A delay in submitting this request could result in a delay of the start of your leave. Your supervisor will forward the request to the personnel office for approval. If your leave request is approved, you will receive written notice to this effect. If your leave request is denied, you will be notified promptly after that decision is made and you can reapply in the event the circumstances for the denial have changed. You must also make an effort to schedule a leave so as not to disrupt business operations. During the leave, you may be required to report periodically on your status and your intention to return to work.

Any extension of time for your leave of absence must be requested in writing prior to your scheduled date of return to work, unless the need for the extension is unforeseeable, and you may be required to provide written documentation to support the extension. Your failure to either return to work on the scheduled date of return or to apply in writing for an extension prior to that date may result in discipline up to and including discharge. Employees on leaves

for their own serious health condition must provide fitness-for-duty releases from their health care provider before they will be permitted to return to work. Your maximum time on FMLA leave of absence cannot exceed a total of twelve (12) weeks in a rolling twelve-month period.

An FMLA leave of absence will not affect the continuity of your employment. Your original date of employment remains the same for seniority purposes. However, you will not accrue any benefits during the period you are on FMLA leave, except as provided by another leave policy.

Employee Benefits During Family and Medical Leave of Absence - You will be permitted to maintain health insurance coverage for the duration of the FMLA leave under the same conditions coverage would have been provided if you had remained actively at work. However, you must make arrangements for the continuation of and payment of your portion of insurance premiums before you go on unpaid leave status. If you do not return to work after the leave, or if you fail to pay your portion of the premiums, you will be required in most cases to reimburse the State for the premiums paid to insure you during the leave.

Return from Family and Medical Leave - Upon return from leave which has extended no longer than a total of twelve (12) workweeks in a rolling twelve (12) month period, you will be restored to the same or to an equivalent position as the one you held when the leave started. Of course, you have no greater right to reinstatement or to other benefits and conditions of employment than if you had been continuously employed during the FMLA leave period. If the leave was due to your own serious health condition, you will be required to submit a fitness for duty certification from your health care provider stating that you are able to perform the essential functions of the job. If you fail to return to work at the expiration of your approved Family and Medical Leave, it may result in discipline up to and including discharge.

Certain highly compensated key employees may be denied reinstatement when necessary to prevent "substantial and grievous economic injury" to State operations. A "key" employee is a salaried employee who is among the highest paid 10% of employees at that location, or any location within a 75-mile radius. Employees will be notified of their status as a key employee, when applicable after they request a Family and Medical Leave. The State will notify a key employee if it intends to deny restoration to employment upon completion of leave.

An employee shall not be granted FMLA leave of absence for the purpose of seeking or taking employment elsewhere or operating a private business. Unauthorized work while on a leave of absence will result in disciplinary action, up to and including discharge.

In the event there is a conflict between the notice and the Family and Medical Leave Act, the Act shall prevail.

Educational Leave

The Director may grant an educational leave of absence without pay, and any extension thereof, to any employee subject to the provisions of the appropriate union agreement or Personnel Rules.

Military Leave

Any full-time employee who is a member of a reserve component of the Armed Services, the Illinois National Guard or the Illinois Naval Militia, shall be allowed annual leave with pay for one full pay period and such additions or extensions to fulfill the military reserve obligation. Such leaves will be granted without loss of seniority or other accrued leaves.

A military leave up to four years time shall be granted (with exception of a temporary position) to a permanent employee who leaves the position to enter military service. A permanent employee may be restored to the same or a similar position by making application to the agency within 90 days after discharge or from hospitalization continuing after discharge for not more than one year.

Military Reserve Training and Emergency Call-Up

In the case of an emergency call-up (or order to state active duty) by the Governor, the leave shall be granted for the duration of said emergency with pay and without loss of seniority or other accrued leaves. Military earnings for the emergency call-up must be submitted and assigned to the agency, and the agency shall return it to the payroll fund from which the employee's payroll check was drawn. If military pay exceeds the employee's earnings for the period, the agency shall return the difference to the employee.

To be eligible for military reserve leave or emergency call-up pay, the employee must provide the agency with a certificate from the commanding officer of his/her unit that the leave taken was for either such purpose.

Any full-time employee who is a member of any reserve component of the United States Armed Forces or of any reserve component of the Illinois State Militia shall be granted leave from the agency for any period actively spent in such military service including basic training and special or advanced training, whether or not within the state, and whether or not voluntary.

During basic training and up to 60 days if special or advanced training, if such an employee's compensation for military activities is less than the compensation as an agency employee, he/she shall receive the regular compensation as an agency employee minus the amount of the base pay for military activities. During such training, the employee's seniority and other leaves shall continue to accrue.

Subject **Tuition Reimbursement**
Chapter 2
Section 18
Effective 02-1-2018

Approve _____



Central Management Services adheres to the State Tuition Reimbursement Policy. An employee requesting tuition reimbursement must demonstrate that the proposed course of study is related to the employee's position or will prepare the employee for advancement or promotion within the agency. Where funds are limited for tuition reimbursement, preference will be given to an employee taking course work most directly related to his/her responsibilities.

Courses which are directly work related will qualify for reimbursement at 50% tuition of state supported schools. Reimbursement will be adjusted to reflect the state-supported school rate if the employee chooses to attend a private school.

An employee should submit a completed Tuition Reimbursement Application Form (CMS-287) to his/her supervisor for approval, and for the approval of the bureau manager, prior to taking a course. The bureau manager shall ascertain that approval falls within the general budgetary allowance for his/her bureau prior to submitting the request to the CMS Personnel Office. All other standard procedures contained in the statewide guidelines, such as submitting evidence of payment and successful course completion, will apply.

Coursework will be scheduled as an off-duty activity whenever possible. When desired courses are not offered during non-working hours, the Director may approve requests for flexible work schedules, provided workloads are not adversely affected.

Upon successful completion of the course(s), the employee is responsible for notifying his or her supervisor. A copy of the grade notice(s) and the previously approved Tuition Reimbursement Form (CMS-287) should then be submitted through the supervisor and bureau manager to the CMS Personnel Office.

An employee receiving tuition reimbursement shall incur a work commitment to the State. If state-paid training does not lead to a post-secondary degree, the employee shall be obligated to continue in the employ of the State for a period of at least 18 months following completion of the most recent course. If state-paid training does lead to a post-secondary degree and the State paid for 50% or more of the credit hours, the employee shall be obligated to continue in the employ of the State for a minimum of four years after receiving the degree.

Subject	<u>Tuition Reimbursement</u>
Chapter	<u>2</u>
Section	<u>18</u>

If an employee voluntarily leaves state employment prior to fulfilling this work commitment, the State may recover payments in addition to interest at the rate of 1% per month from the time the State made payment until the time the State recovers the payment. The amount owed by the employee shall be reduced by 25% for each year the employee works for the State after the employee receives a post-secondary degree, or by 1/18th of the gross amount for each month the employee works for the State after completing the most recent course which does not lead to a post-secondary degree.

The State shall not recover payments for coursework that was begun before January 1, 1992, completed as a requirement for a grammar school certificate or a high school diploma, to prepare for a high school level General Educational Development Test or to improve literacy or numeracy; specialized training in the form of a conference, seminar, workshop or similar arrangement offered by public or private organizations; provided as part of the Upward Mobility Program; or a condition of continued employment.

Subject **Upward Mobility**
Chapter 2
Section 19
Effective 09-01-98 Approved 

The Upward Mobility Program is designed to provide AFSCME represented employees with an opportunity to advance to more challenging, higher paying jobs. (Refer to AFSCME Agreement.)

The program provides one-on-one counseling to assist the employee in making career choices. Individual plans for training and education are developed for each employee to follow. The State of Illinois will prepay tuition costs.

An employee must take classes during non-working hours when circumstances permit. When a time conflict occurs between work and class, the employee is granted paid time off for up to one-half of the total number of hours that the class meets per week to travel to and from class or to attend class (e.g. if an employee is taking two classes which meet for a total of six hours per week, the employee is entitled to up to three hours paid time off, even if the time off is needed for only one of those classes).

An employee may use no more than eight hours a week of Upward Mobility time. An employee taking classes through the Lincoln Land Community College Capital City Education Center is exempt from this limit (see next paragraph). Any other exceptions must be approved by the Upward Mobility Advisory Committee.

Education plans for some target titles (primarily the data processing titles) include courses offered by the Lincoln Land Community College Capital City Education Center. These courses are held on a full-day basis and last from one day to several days. An employee pursuing one of these educational plans may be granted up to ten working days off with pay per semester, or one-half the time required to complete the course(s), whichever is less, consistent with the policies of the Upward Mobility Program.

Time off must be scheduled with management at least one month prior to the start of the first class, or as soon as the employee is aware of the class schedule. Time requests that are denied due to unusual operational needs must be documented. An employee may file an appeal with the Upward Mobility Advisory Committee if he/she disagrees with management's decision.

Involuntary rearrangement of previously agreed flex time hours by management is prohibited.

Requests by an employee to alter starting and quitting time, change or eliminate lunch hours, or combine breaks shall be at the sole discretion of the agency.

An employee will neither be offered nor required to work overtime when such overtime would conflict with the employee's ability to travel to or participate in a class under the auspices of the Upward Mobility Program, except in times of extreme emergency.

An employee who is required to take qualifying examinations or state board examinations for licensure to qualify for the target title will be granted time off to travel to and from and to take the required examination(s) for the amount of time which conflicts with the normal work schedule.

An employee who is interested in learning more about this program may call the Upward Mobility Hotline at 800-442-1300, TDD# 800-526-0844 or TDD# 217-524-3410.

Subject **Work Related Injuries**

Chapter 2

Section 20

Effective 09-01-98

Approved



An employee who is injured due to an accident or contracts any disease arising out of and in the course of employment shall be entitled to certain workers' compensation benefits including wage replacement and the cost of all reasonable and necessary medical, hospital and surgical expenses when applicable. The Illinois Workers' Compensation Act states that an employee must notify the employer within 45 days to protect his/her rights under the Act.

In the event of injury, the employee must take specific actions to protect his/her rights and obtain benefits to which he/she may be entitled. The employee must notify his/her supervisor immediately, call the Early Intervention Vendor (800/773-3221 or TDD# 800-526-0844) and report the incident, promptly seek proper medical care and complete certain paperwork as soon as medically possible. The employee is responsible for completing a packet consisting of four forms:

The Notice Of Injury Form

The Information Release Authorization

The Workers' Compensation Medical Report completed by the treating physician

Having the appropriate individuals complete the Witness Form

The Medical Report Form should be submitted with other required documents to the agency workers' compensation coordinator.

The supervisor is also responsible for the completion of two documents:

The Supervisor's Report Of Accident

A Demands Of The Job Form

The supervisor must submit the Report of Accident Form within 24 hours of notification by the injured employee to the Workers' Compensation Coordinator. The supervisor shall assume the responsibility to call the Early Intervention Vendor (800/773-3221 or TDD# 800-526-0844) and report the incident, should the employee be physically unable to make direct contact.

Paperwork shall be sent to the appropriate workers' compensation coordinator for routing to the Division of Risk Management.

An employee who is entitled to Workers' Compensation Benefits shall be allowed full pay for the first three/five working days of absence (dependent upon employee being subject to Personnel Rules or a union agreement) without utilization of any accumulated sick leave or other leaves.

These days are provided only if the claim is ruled compensable and medical documentation requires time off to recover from the injury/illness.

For absences beyond three/five days, an employee may elect to use his/her own sick time or be placed on Total Temporary Disability Benefits (workers' comp payroll). If the employee uses sick time and subsequently requests Temporary Total Disability Benefits for the same period, he/she must buy back the sick time used if the claim is approved for payment by the Division of Risk Management. A statement to this effect, which will be provided by the coordinator, must be signed.

Subject Sexual Harassment
Chapter 2
Section 21
Effective 12-15-17 Approved 

Model Policy

It is the responsibility of each individual employee to refrain from sexual harassment, and it is the right of each individual employee to work in an environment free from sexual harassment.

Definition of Sexual Harassment

According to the Illinois Human Rights Act, sexual harassment is defined as:

Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

 submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;

 submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

 such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

For purposes of this definition, the phrase "working environment" is not limited to a physical location an employee is assigned to perform his or her duties, and does not require an employment relationship.

The courts have determined that sexual harassment is a form of discrimination under Title VII of the U.S. Civil Rights Act of 1964, as amended in 1991.

One such example is a case where a qualified individual is denied employment opportunities and benefits that are, instead, awarded to an individual who submits (voluntarily or under coercion) to sexual advances or sexual favors. Another example is where an individual must submit to unwelcome sexual conduct in order to receive an employment opportunity.

Other conduct commonly considered to be sexual harassment includes:

Verbal: Sexual innuendoes, suggestive comments, insults, humor and jokes about sex, anatomy- or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements about other employees, even outside of their presence, of a sexual nature.

Non-Verbal: Suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, "catcalls," "smacking" or "kissing" noises.

Visual: Posters, signs, pin-ups or slogans of a sexual nature.

Physical: Touching, unwelcome hugging or kissing, pinching, brushing the body, coerced sexual intercourse, or actual assault.

Sexual harassment most frequently involves a man harassing a woman. However, it can also involve a woman harassing a man or harassment between members of the same gender.

The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is more subtle and depends to some extent on individual perception and interpretation. The trend in the courts is to assess sexual harassment by a standard of what would offend a "reasonable woman" or a "reasonable man," depending on the gender of the alleged victim.

An example of the most subtle form of sexual harassment is the use of endearments. The use of terms such as "honey," "darling," and "sweetheart," is objectionable to many women who believe that these terms undermine their authority and their ability to deal with men on an equal and professional level.

Another example is the use of a compliment that could potentially be interpreted as sexual in nature. Below are three statements that might be made about the appearance of a woman in the workplace:

"That's an attractive dress you have on."

"That's an attractive dress. It really looks good on you."

"That's an attractive dress. You really fill it out well."

The first statement appears to be simply a compliment. The last is the most likely to be perceived as sexual harassment, depending on individual perceptions and values. To avoid the possibility of offending an employee, it is best to follow a course of conduct above reproach, or to err on the side of caution.

Responsibility of Individual Employees

Each individual employee has the responsibility to refrain from sexual harassment in the workplace.

An individual employee who sexually harasses a fellow worker is, of course, liable for his or her individual conduct.

The harassing employee will be subject to disciplinary action up to and including discharge in accordance with the agency's policy or a bargaining agreement, as appropriate.

Responsibility of Supervisory Personnel

Each supervisor is responsible for maintaining a workplace free of sexual harassment. This is accomplished by promoting a professional environment and by dealing with sexual harassment as with all other forms of employee misconduct.

The courts have found that organizations as well as supervisors can be held liable for damages related to sexual harassment by a manager, supervisor, employee, or third party (an individual who is not an employee but does business with an organization, such as a contractor, customer, sales representative, or repair person).

Liability is either based on an organization's responsibility to maintain a certain level of order and discipline, or on the supervisor acting as an agent of the organization. As such, supervisors must act quickly and responsibly not only to minimize their own liability but also that of the agency.

Specifically, a supervisor must address an observed incident of sexual harassment or a complaint with seriousness, take prompt action to investigate it, report it and end it, implement appropriate disciplinary action, and observe strict confidentiality. This also applies to cases where an employee tells the supervisor about behavior considered sexual harassment but does not want to make a formal complaint.

In addition, supervisors must ensure that no retaliation will result against an employee making a sexual harassment complaint.

An agency's Equal Employment Opportunity (EEO) Officer is available to consult with supervisors on the proper procedures to follow.

Procedures for Filing a Complaint

An employee, who either observes or believes herself/himself to be the object of sexual harassment, should deal with the incident(s) as directly and firmly as possible by clearly communicating her/his position to the supervisor, EEO Officer and offending employee. It is not necessary for sexual harassment to be directed at the person making a complaint.

The following steps may also be taken:

Document or record each incident (what was said or done, the date, the time, and the place). Documentation can be strengthened by written records such as letters, notes, memos, and telephone messages.

No one making a complaint will be retaliated against even if a complaint made in good faith is not substantiated. In addition, any witness will be protected from retaliation.

The process for making a complaint about sexual harassment occurs in several stages:

Direct Communication If there is sexually harassing behavior in the workplace, the harassed employee should directly and clearly express her/his objection that the conduct is unwelcome and request that the offending behavior stop. The initial message may be verbal. If subsequent messages are needed, they should be put in writing in a note or a memo.

Contact with Supervisory Personnel At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor or the EEO Officer. If the harasser is the immediate supervisor, the problem should be reported to the next level of supervision or the EEO Officer.

Formal Written Complaint An employee may also report incidents of sexual harassment directly to the EEO Officer. The EEO Officer will counsel the reporting employee and be available to assist with filing a formal complaint. The agency will fully investigate the complaint, and advise the complainant and the alleged harasser of the results of the investigation.

Resolution Outside Agency It is hoped that most sexual harassment complaints and incidents can be resolved within an agency. However, an employee has the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) about filing a formal complaint. An IDHR complaint must be filed within 180 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must be filed within 300 days.

An employee who is suddenly transferred to a lower paying job or passed over for promotion, after filing a complaint with IDHR or EEOC, may file a retaliation charge, also due within 180 days (IDHR) or 300 days (EEOC) of the alleged retaliation.

An employee who has been physically harassed or threatened while on the job may also have grounds for criminal charges of assault and battery.

False and Frivolous Complaints

False and frivolous charges refer to cases where the accuser is using a sexual harassment complaint to accomplish some end other than stopping sexual harassment. It does not refer to charges made in good faith which cannot be proven. Given the seriousness of the consequences for the accused, a false and frivolous charge is a severe offense that can itself result in disciplinary action.

Administrative Contacts

Illinois Department of Central Management Services
Equal Employment Opportunity Officer
217-558-6713 Springfield
800-526-0844 TTY - IL Relay Center

Illinois Department of Human Rights
217-785-5100 Springfield
312-814-6200 Chicago
866-740-3953 TTY

Illinois Human Rights Commission
217-785-4350 Springfield
217 557-1500 TDD Springfield
312-814-6269 Chicago
312-814-4760 TDD Chicago

Equal Employment Opportunity Commission
800-669-4000 Toll Free
312-869-8001 TTY

Subject **Equal Employment Opportunity/Affirmative Action**
Chapter 2
Section 22
Effective 09-01-98 Approved 

The Department of Central Management Services is an equal opportunity employer. Decisions regarding the recruitment, hiring, training, promotion, and layoff of and the awarding of benefits to an employee will be made without regard to non-merit factors including, but not limited to, race, color, religion, sex, sexual orientation, national origin, handicapped condition or age, except when it is necessary to implement the Affirmative Action Program, or when it is a bona fide job qualification.

Retaliation against any employee who exercises his or her right to file a complaint against Central Management Services for alleged discrimination is forbidden.

All executive, managerial, and supervisory staff are expected to support and aid in the implementation of this policy.

If an employee has any question or wants to file a complaint, the CMS Equal Employment Officer should be contacted.

Subject **State Employee Assistance Program**

Chapter 2

Section 23

Effective 03-22-02

Approved 

The Employee Assistance Program (EAP) provides professional and clinical assistance to employees with alcohol or drug abuse problems, emotional, financial, family/marital, or other personal issues for which the employee desires help. These personal issues may be impacting job performance and causing problems such as absenteeism, declining work competencies, or poor personal relationships on the job.

The primary goals of the EAP are to provide help to employees who experience problems so that job performance decline can be prevented or corrected and to help employees deal with life's challenges. EAP specialists direct employees to appropriate counseling services or community-based resources depending upon the nature of the problem.

An employee may refer himself/herself to the Program or be referred by a supervisor. The Program is strictly confidential and the acceptance of a referral will not jeopardize the employee's job.

All calls and counseling sessions are confidential except in instances required by law or when an employee signs a consent for release of information with the EAP counselor. EAP counseling services are provided at no cost to employees and their covered dependents unless they are referred for additional services beyond the scope of the EAP. If an employee elects to accept such a referral, resulting fees and co-payments are the member's responsibility.

AFSCME employees covered under the Master Contract Agreement utilize the Personal Support Program (PSP) for EAP services. AFSCME employees should call the PSP toll-free number listed in the Benefits Choice Options Booklet or contact their local union representative to learn about the program.

Non-AFSCME active employees covered under the State Employees Group Insurance Program are eligible for EAP benefits administered privately by a vendor selected through the procurement process by the Bureau of Benefits. Non-AFSCME employees should call the toll-free EAP number listed in the Benefits Choice Options Booklet.

Self-Referral

Any employee may call the appropriate toll-free EAP number listed in the Benefits Choice Options Booklet to speak with a trained service representative and/or EAP licensed-clinician. The EAP may be used to help an employee deal with most concerns; the issues do not have to be related to workplace problems. The EAP is a life management tool designed to help an employee sort through issues, identify options, and make informed choices.

Supervisory Referral

Supervisors are responsible for ensuring that the job performance of their subordinates is satisfactory. Declining job performance should be documented while attempts are made to resolve the problem through standard supervisory methods. Declining job performance for which the supervisor cannot identify a job-related cause may be related to a variety of personal issues. While it is not a supervisor's role to diagnose personal problems, supervisors might wish to consult with an EAP counselor to determine whether a referral to the EAP may be appropriate. When deemed appropriate, supervisors should meet with the employee, documenting the declining job performance, and refer him/her to the EAP. The employee has the right to accept or reject such a referral.

It is the responsibility of a supervisor to become familiar with the EAP and utilize it appropriately. A referral to the EAP may be made before the application of discipline has been deemed necessary; however, a referral to the EAP in no way exempts an employee from progressive discipline for less-than-acceptable job performance.

Time Off

Appointments with counselors, legal, medical, social service, or other assistance professionals during regular work hours must be taken as vacation, personal, sick, or other officially authorized leave time.

Subject **Americans with Disabilities Act**
Chapter 2
Section 24
Effective 09-01-98 Approved 

The Americans with Disabilities Act protects against the discrimination of qualified individuals with disabilities in all aspects of employment including examination, pre-screening or interview processes, employment transactions (hiring, transfer, promotion, etc.) and the offering of benefit packages. A qualified individual with a disability is defined as: an individual with a disability, who, with or without a reasonable accommodation, can perform the essential functions of the employment position the person holds or desires. The term qualified refers to whether the individual is qualified at the time of the job action in question; the mere possibility of future incapacity or the known progression of a disability or illness does not by itself render the person not qualified.

An individual with a disability is defined as:

A person who has a physical or mental impairment that substantially limits one or more major life activities (such as seeing, hearing, speaking, walking, breathing, performing manual tasks, learning to care for oneself and working);

A person who has a record of such an impairment; or,

A person who is regarded as having such an impairment.

Substantially limits means:

Unable to perform a major life activity that the average person in the general population can perform; or,

Significantly restricted as to the condition, manner or duration under which an individual can perform a particular major life activity as compared to the condition, manner, or duration under which the average person in the general population can perform that same major life activity.

Reasonable Accommodation

While the ADA does not mandate any affirmative action goals for the disabled, employers are required to make reasonable accommodations for qualified individuals covered by the ADA unless to do so would result in undue hardship. Qualified means: otherwise qualified, i.e., a person with a disability who meets all of an employer's job-related selection criteria except such criteria he/she cannot meet because of a disability. For details in applying for reasonable accommodations, please contact the agency ADA Coordinator.

Undue Hardship and Direct Threat

An employer is not required to provide an accommodation that will impose an undue hardship (i.e., costly, extensive, substantial or disruptive or would fundamentally alter the operation of the business) or where a direct threat would be present.

Appeal Procedure

Individuals believing they have been discriminated against have the right to file a complaint with the agency ADA Office, the Human Rights Department, the EEOC Office or to sue in court under Title VII of the Civil Rights Act of 1964. Any individual involved in the interview or selection process may be held personally liable for any confirmed acts of discrimination. Damages may include compensatory remedies and may involve injunction, reinstatement, retroactive seniority, promotion, back pay, and attorneys' fees.

If an individual desires to file a formal written grievance, the individual shall promptly, but no later than 180 days after the alleged discrimination, submit the grievance in writing to the ADA coordinator on the grievance form prescribed for that purpose. The grievance form must be completed in full in order to receive proper consideration by the coordinator. Upon request, assistance shall be provided by the agency to complete the grievance form.

The coordinator, or his/her representative, shall investigate the grievance and shall make reasonable efforts to resolve it. The coordinator shall provide a written response to the complainant and Director within ten business days after receipt of the grievance form.

If the grievance has not been resolved at the coordinator level to the satisfaction of the complainant, the complainant may submit a copy of the grievance form and coordinator's response to the Director for final review. The complainant shall submit these documents to the Director, together with a short written statement explaining the reason(s) for dissatisfaction with the coordinator's written response, within five business days after receipt by the complainant of the coordinator's response.

The Director shall appoint a three-member panel to review the grievance at the final level. The complainant shall be afforded an opportunity to appear before the panel. Complainant shall have the right to appoint a representative to appear on his/her behalf. The panel shall review the coordinator's written response and may conduct interviews and seek advice as it deems appropriate.

Upon reaching a concurrence, the panel shall make recommendations in writing to the Director as to the proper resolution of the grievance. All recommendations shall include reasons for such recommendations and shall bear the signatures of the concurring panel members. A dissenting member of the panel may make a written recommendation to the Director over his/her signature. Upon receipt of recommendations from a panel, the Director shall approve, disapprove or modify the panel recommendations; shall render a decision thereon in writing; shall state the basis therefore; and shall cause a copy of the decision to be served on the parties. The Director's decision shall be final. If the Director disapproves or modifies the panel recommendations, the Director shall include written reasons for such disapproval or modification.

Subject **Repayment of Student Loan**

Chapter 2

Section 25

Effective 09-01-98

Approved 

Public Act #85-827 requires that all individuals entering state service who have defaulted on a student loan guaranteed by the Illinois Student Assistance Commission establish a repayment schedule within the first six months of employment.

Should the employee fail to establish a satisfactory repayment arrangement prior to the completion of the sixth month, the State is required to separate that individual's employment.

A licensed professional employee may also have his/her license revoked by the Department of Professional Regulation unless he/she establishes a satisfactory repayment arrangement.

To confirm the establishment of the repayment plan, a written certification from the loan maker or guarantor must be received by the agency prior to the expiration of the first six month's service. The employee is encouraged to establish the repayment plan through payroll deductions.

Subject **Cheating/Compromising Examinations**
Chapter 2
Section 26
Effective 09-01-98 Approved 

Any employee of the Department of Central Management Services who is found cheating or compromising any exam for advancement purposes shall be subject to the following provisions:

The first offense will result in the employee being issued a 30-day suspension and determined to be non-eligible for the position in question.

The second offense will result in the employee being terminated.

Subject **Workplace Threats and Violence**

Chapter 2

Section 27

Effective 09-01-98

Approved 

Nothing is more important to the Department than the safety and security of its employees. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on state premises will not be tolerated. Violations of this policy will lead to disciplinary action which may include dismissal, arrest, and prosecution.

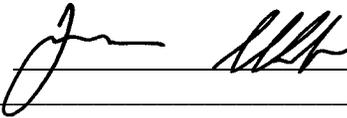
Any person who makes threats, exhibits threatening behavior, or engages in violent acts on state premises or work sites shall be removed from the premises as quickly as safety permits, and shall remain off Department premises pending the outcome of an investigation. The Department will initiate an appropriate response. This response may include, but is not limited to, discipline up to and including discharge, and/or criminal prosecution of the person(s) involved.

No existing Department policy, practice, or procedure should be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring or a life threatening situation from developing.

All Department personnel are responsible for notifying the Office of Investigations of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on a Department work site, or is connected to state employment. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who were threatened or were the focus of the threatening behavior. If the Office of Investigations cannot be reached, employees should report the threat to their supervisor or another member of management.

All individuals who obtain a protective or restraining order which lists Department locations as being protected areas, must provide to the Office of Investigations a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

The Department understands the sensitivity of the information requested and has developed confidentiality procedures which recognize and respect the privacy of the reporting employee(s).

Subject **Implementation of Personnel Policies under Section 5.5 of the State
Officials and Employees Ethics Act**
Chapter 2
Section 28
Effective 12-07-09 Approved 

Except as otherwise set forth in a policy issued by the Office of the Governor:

1. **Work Time Requirements and Timesheets**

Employees shall comply with the work time and timekeeping requirements set forth in Chapter 2 of this Policy Manual and all applicable laws, statutes, administrative rules and policies.

2. **Documentation for Reimbursement for Travel on Official State Business**

Reimbursement for travel on Official State Business will be made in accordance with Chapter 4.5 of this Policy Manual and the rules and policies of the Travel Control Council and the Travel Control Rules.

3. **Compensation and Benefits**

Salary, wage and benefits packages will be determined in accordance with applicable laws, statutes, administrative rules, collective bargaining agreements, and as set forth in this Policy Manual.

Policy Manual

Illinois Department of
Central Management Services

CMS

Chapter 3 POLICY RULES

Subject **Media Inquiries/Freedom of Information**

Chapter 3

Section 1

Effective 09-01-98

Approved



Media Inquiries

All inquiries from members of the press should be immediately referred without comment to the Office of Public Affairs. If a member of the news media arrives unexpectedly, Public Affairs should be notified immediately. Unless special permission is granted, no interviews should be given by anyone other than the Director or the CMS Public Information Officers.

Employees of the Office of Public Affairs are the designated spokespersons for the agency in responding to requests from the news media. Other agency employees should not respond to the press unless directed to do so by Public Affairs. This procedure is important to ensure that information released to the media is accurate, complete, and representative of the agency's position and philosophy.

Please call the Office of Public Affairs in Springfield at (217) 524-5511 if you are contacted by a member of the news media.

Photographs and filming by the press within agency offices shall not be allowed without prior approval of the Office of Public Affairs. All news releases concerning agency activities shall be issued by the Office of Public Affairs.

Freedom of Information Act (FOIA) Requests

The Office of Public Affairs is the primary source of information concerning CMS. Requests for information under the Freedom of Information Act (FOIA) shall be referred to the Office of Public Affairs whether they are received verbally, in writing, or through electronic mail.

FOIA forms are available in the Office of Public Affairs and should be filled out by anyone requesting information under the act. Requests received elsewhere in the agency should be forwarded immediately to the Freedom of Information Act Officer in the Office of Public Affairs since Illinois law requires a response within seven working days. The FOIA Officer will ask the appropriate bureau for a response and then reply to the request.

Questions regarding services provided by the agency such as test dates, procedures for applying for a job, insurance coverage, etc. may be released directly without involving the Office of Public Affairs. Any questionable requests for information should be directed to the FOIA Officer.

Subject **Employee Solicitation/Participation**

Chapter 3

Section 2

Effective 09-01-98

Approved 

The Department of Central Management Services permits and encourages employees to participate in charity and fund drives for recognized and authorized organizations. The Director must approve all fund-raising or charitable activity prior to its taking place in the agency.

Fund-raising and activities must be for organizations which service or represent the public at large. Charitable solicitations shall not disrupt normal business activity. Use of meeting rooms and reasonable use of copy machines may take place on state time, with prior approval.

Subject **Political Activities**

Chapter 3

Section 3

Effective 03-17-05

Approved 

The agency permits an employee to participate in the political process consistent with the State Officials and Employees Ethics Act and, where applicable, the Federal Hatch Act.

No employee shall participate in any political activity in violation of any federal or State statute, rule, or regulation, including the State Officials and Employees Ethics Act (5 ILCS 430), as from time-to-time amended.

Employees shall participate in mandatory ethics training and from time-to-time review informational materials provided by the Executive Inspector General and the Executive Ethics Commission.

The CMS Ethics Officer shall maintain an open-door policy for employees who seek guidance concerning the requirements of the State Officials and Employees Ethics Act, including, but not limited to, those pertaining to participation in political activities.

An employee may not at any time use or threaten to use the influence or authority of his or her position to coerce or persuade any person to follow any course of political action.

In accordance with applicable voting and election laws, any employee may have up to two hours off work to vote in any municipal, general or special election, provided the employee notifies the supervisor prior to the day of election. Such time off to vote shall be scheduled at the convenience of the agency and shall be without pay or by use of accrued time.

Subject **Conflict of Interest**

Chapter 3

Section 4

Effective 03-17-05

Approved



All employees of Central Management Services should avoid conflicts of interest or the appearance of conflicts of interest. Potential areas for conflicts of interest include:

Outside Employment
Discounts, Gifts or Honoraria
Purchase of Surplus State Property

Outside Employment

An employee is not precluded from holding outside employment, so long as it does not interfere with the normal job activities and responsibilities and is not judged to be a conflict of interest.

Outside employment is defined as the performance of any service which results in payment of money, goods, or services and/or the exercise of control of an enterprise, either public or private, which results in profits.

Limitations to holding outside employment include:

An employee shall not compete with CMS services through outside employment.

An employee may not hold outside employment if such employment involves the use of information secured as a result of working at CMS.

An employee may not use equipment issued or available to him/her from CMS in any outside employment, nor conduct outside employment on CMS premises or during CMS work hours.

An employee should not hold outside employment that could cause embarrassment to himself/herself or to CMS.

An employee may not hold outside jobs if such employment causes physical or mental exhaustion, which would demonstrably impair the employee's efficiency or capability to carry out CMS duties.

Normally, approval will be limited to one request for outside employment. If an employee's attendance and/or work performance deteriorates, approval for outside employment may be rescinded.

Any employee wishing to hold outside employment must submit a written request to his or her immediate supervisor, who will forward it to the bureau manager for final approval by the Director.

Discounts, Gifts or Honoraria

No employee shall intentionally solicit or accept any gift from any prohibited source or in violation of any federal or state statute, rule, or regulation, including the State Officials and Employees Ethics Act (5 ILCS 430), as from time to time amended. This ban applies to and includes the spouse of and immediate family living with the employee.

Employees shall participate in mandatory ethics training and from time-to-time review informational materials provided by the Executive Inspector General and the Executive Ethics Commission.

The CMS Ethics Officer shall maintain an open-door policy for employees who seek guidance concerning the requirements of the State Officials and Employees Ethics Act, including those pertaining to discounts, gifts or honoraria.

Administrative units within CMS may adopt gift bans more restrictive than those set forth in the State Officials and Employees Ethics Act.

Ethics Statements

Statement of Economic Interests - Secretary of State

The Illinois Governmental Ethics Act requires the Director to certify by February 1st of each year the names and home addresses of employees who are required to file Statements of Economic Interests with the Office of the Secretary of State, Index Department. The Ethics Officer reviews the Statements of Economic Interests before they are filed with the Office of the Secretary of State. Employees with specific employment responsibilities, as stated in the Illinois Governmental Ethics Act and certified by the Director, are required to file the Statement of Economic Interests form with the Ethics Officer within the designated time frame each year. An employee who is required to file who does not receive a form from the Secretary of State shall advise the Ethics Officer in a timely manner.

Subject **Official Investigations**
Chapter 3
Section 5
Effective 09-01-98 Approved 

It is the duty of an employee in the Department of Central Management Services to participate and cooperate in any official investigation conducted by the agency when requested to do so. Failure to cooperate or impeding an official investigation will result in appropriate disciplinary action.

The agency has the right to require an employee to account for the public trust, answer all questions asked regarding that trust, and to obey all reasonable orders of superior officers.

An employee, in the course of an official investigation, may voluntarily request that a polygraph of himself/herself be conducted and the results considered by the investigator and the Director.

All investigations in the agency shall be coordinated through the Office of Investigative Services and the CMS Legal Office.

Subject **Legislative Inquiries**

Chapter 3

Section 6

Effective 09-01-98

Approved 

All legislative requests, inquiries, and positions on legislation are to be coordinated by the Office of Governmental Affairs. The office monitors activity of the General Assembly, coordinates testimony by CMS staff who appear before committees of the Illinois House of Representatives and State Senate, and confers with members of the General Assembly or their respective staffs.

If a CMS employee receives a non-routine request for information by a legislator, a legislator's office, or the respective staffs of the General Assembly, the employee is to immediately contact Governmental Affairs, which will handle the response to the request in conjunction with appropriate staff.

If a legislator makes an inquiry to CMS staff regarding confidential items such as group insurance, deferred compensation, etc., staff may handle these items directly, but are to also inform Governmental Affairs of such inquiries.

Subject **Bomb Threats**

Chapter 3

Section 7

Effective 09-01-98

Approved



The agency will not evacuate a building or facility under its control as a result of a bomb threat unless there is specific imminent and perceptible evidence of threat to employee(s).

An employee who receives a bomb threat by telephone shall report the call immediately to one of the following:

Stratton Building Security, Spfld.	217-782-6008
JRTC Police, Chicago	312-814-6666
Director, Assistant Director or Assistant to the Director	
Springfield	217-782-2141
Springfield TDD#	217-785-3979
Chicago	312-814-2141
Chicago TDD#	312-814-4458

An employee working in buildings other than the Stratton Building or James R. Thompson Center should call local police, where appropriate, prior to calling CMS.

The employee should remain available until law enforcement personnel have had an opportunity to interview him or her.

The employee should keep the caller on the line as long as possible. Ask the caller to repeat the message and write it verbatim if possible. If the caller does not indicate the location of the bomb or the time of detonation, ask for this information specifically. Inform the caller that the building is occupied and the explosion could cause death or serious injury to many innocent persons. Listen for background noises, such as motors running, music, traffic noise, or any other sounds which might indicate the location of the caller. Try to identify the caller as male or female, determine the voice quality such as calm or excited, any accent or speech impediment, or any other means to help identify the caller. No one should touch or attempt to move any suspicious object. Report its location and description to the person designated to receive this information.

In the event a building is evacuated, employees should leave immediately and not delay to gather personal effects other than hats and coats. No employee should do anything to cause panic of other employees, either in seriousness or in jest. Any employee doing so is subject to discipline.

Instructions will be given for employees to report to another facility or to stand by to return to the work site after the search is complete. Any employee who fails to follow instructions, who leaves the work site without permission and fails to return to work, or who impedes any evacuation or investigation, or makes such a threat, is subject to discipline up to and including discharge.

Subject **Weapons/Explosives**

Chapter 3

Section 8

Effective 09-01-98

Approved 

No employee, unless it is part of his/her job duties, is allowed to carry, retain or bring to state premises or work sites any explosives, firearms or other dangerous weapons, nor allowed to transport dangerous weapons while on duty or while utilizing a state vehicle.

Subject **Health Insurance Portability and Accountability Act**
Chapter 3
Section 9
Effective 04-14-03 Approved 

The federally enacted Health Insurance Portability and Accountability Act of 1996, commonly referred to as HIPAA, is designed to protect the confidentiality and security of health information and to improve efficiency in healthcare delivery. HIPAA standards protect the confidentiality of medical records and other personal health information, limit the use and release of private health information, and restrict disclosure of health information to the minimum necessary. Individually identifiable information about past, present, or future healthcare or condition is considered protected health information. To comply with all federal and state laws pertaining to privacy of individually identifiable health information, the Department of Central Management Services has adopted policies and procedures to provide adequate protections to individuals whose information is retained, used and disseminated from the Department.

Central Management Services employees shall comply with the rules and regulations set forth by HIPAA and may not at any time, during or after employment:

- access in oral, written, or electronic form, or
- use or disclose

protected health information to any person or entity, internally or externally except as required or permitted in the course of one's duties and/or responsibilities.

Unauthorized use or disclosure of protected health information may result in disciplinary action up to and including discharge.

Failure to comply with HIPAA privacy standards also subjects the employee to possible civil and criminal penalties. Civil penalties include \$100 per violation, up to \$25,000 per person, per year for each requirement or prohibition violated. For knowingly violating privacy, the following federal criminal penalties apply:

- Up to \$50,000 and/or 1 year in prison for obtaining or disclosing protected health information.
- Up to \$100,000 and/or up to 5 years in prison for obtaining or disclosing protected health information under false pretenses.
- Up to \$250,000 and/or up to 10 years in prison for obtaining or disclosing protected health information with the intent to sell, transfer, or use it for commercial advantage, personal gain, or malicious harm.

Policy Manual

Illinois Department of
Central Management Services

CMS

Chapter 4

USE/PURCHASE OF STATE PROPERTY

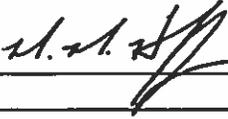
Subject Use of State Telephones

Chapter 4

Section 1

Effective 05-01-16

Approved



The intent of this policy is to permit state employees to make reasonable, as defined below, use of state telephone systems and, at the same time, to guard against telephone abuse.

The use of state telephone services is limited to official business calls. Official business calls include emergency calls and calls that are in the best interest of the State. A call shall be considered as authorized in the best interest of the State if it meets each of the following criteria:

It does not adversely affect the performance of official duties by the employee or the employee's organization.

It is of reasonable duration and frequency.

It could not have reasonably been made during non-work hours.

Examples of calls that fall under the above guidelines include, but are not limited to, the following:

An employee is required to work overtime without advance notice and calls within the local commuting area (the area from which the employee regularly commutes) to advise his or her family of the change in schedule or to make alternate transportation or child- or elder-care arrangements.

An employee makes a brief call to locations within the local commuting area to speak to spouse, minor children, elderly parent (or those responsible for them, e.g., school or day care center, nursing home, etc.).

The employee makes brief calls within the local commuting area that can be reached only during working hours, such as a local government agency or a physician.

An employee makes brief calls to locations within the local commuting area to arrange for emergency repairs to his or her residence or automobile.

While on official business, the employee makes a call of three minutes or less to announce safe arrival, delay or a change in plans. The employer may request written confirmation from the employee that a call qualifies under this subsection.

If disciplinary action is taken based on alleged violations of the telephone usage policy, an employee may grieve such action pursuant to 80 Ill. Adm. Code 303, Subpart A, or the appropriate collective bargaining agreement.

AGENCY NOTE: Brief shall mean the time it takes to accomplish the purpose of the call.

A personal call made during working hours is permitted if:

It is charged to the employee's home phone number or other non-government number,

It is made to an 800 toll-free number,

It is charged to the called party if a non-state number, or

It is charged to a personal credit card.

Following the effective date of this policy, only summary telecommunications invoices will be forwarded to each work location specified by billing account for review, approval and payment.

Individual call detail will no longer be routinely provided, but is available for review on-line. Employees should contact the CMS Telecommunications Coordinator or CMS Telecommunications Help Desk for access to their on-line billing detail.

Employees must reimburse the state for the cost of all calls not in compliance with the telephone usage policy as proscribed above. If an employee fails to reimburse the state voluntarily within 30 days for those calls which fall outside the parameters of this policy, collection action may be instituted through appropriate legal means. Payment of these charges does not prevent the agency from instituting appropriate disciplinary action. For any use of state telecommunications devices beyond the parameters of this policy, the employee shall reimburse the State of Illinois for all related charges by personal check payable to the **Communications Revolving Fund**, and mailed to: **Cashier/CMS Accounts Receivable, 320 W. Washington, Springfield, IL, 62704.**

Employee Responsibility

Each employee is responsible for individual adherence to this policy.

Bureau Responsibility

1. The Bureau of Communications and Computer Services will perform periodic automated analysis to detect potential fraud/abuse and work with CMS bureaus to resolve.

2. CMS Bureaus are responsible for:
 - a. Reviewing monthly summary billings for reasonableness and consistency of charges prior to approval for payment. This review will be documented through the application of the bureau's fiscal office signature/stamp on the invoice for payment of telecommunications charges.
 - b. Contacting the CMS Telecommunications Help Desk or the CMS Telecommunications Coordinator in cases where more detail is needed to approve charges.
 - c. Processing of invoices for payment.

Subject **Use of State Photocopy and Facsimile (Fax) Machines**
Chapter 4
Section 2
Effective 09-01-98 Approved 

Photocopy Machines

Central Management Services photocopy machines and their supplies are the property of the State and are for State use only. An employee who uses copy machines and/or supplies for personal use is subject to discipline up to and including discharge, as well as the assessment of monetary charges.

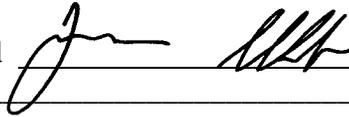
An employee may be charged 10¢ per copy for personal copies.

Facsimile (Fax) Machines

Central Management Services fax machines and their supplies are the property of the State and are for State use only. An employee who uses fax machines and/or supplies for personal use is subject to discipline up to and including discharge, as well as the assessment of monetary charges.

Subject **Information Technology (IT) Security**
Chapter 4
Section 3
Effective 11-01-08

Approved



STATEMENT OF POLICY

It is the policy of the Department of Central Management Services (“CMS”) that Information Technology (IT) equipment be secure from unauthorized use, removal, or damage; that the equipment be protected from accidents; and that the software and information contained therein be secure from unauthorized or accidental disclosure, alteration, or destruction. This must be accomplished with minimum disruption for legitimate use. Logging onto any CMS system constitutes agreement with this policy.

SCOPE

This policy governs the security of IT resources. IT resources include but are not limited to, electronic data processing equipment and software as well as information stored, processed or in transmitted form, to or through that equipment. The scope of this policy includes all CMS IT resources that are purchased, managed or secured by CMS, even though the names of certain technologies may change over time, or new technologies may arise. This policy applies to all CMS employees, CMS contractual staff and any other individuals designated by the Director of CMS that may utilize networks maintained by CMS for which CMS provides the security administration function. Hereafter “covered users” refers to the persons to whom this policy applies. All other CMS security policies for these covered users are subordinate to this policy. CMS Employees are also responsible for reviewing and following the additional IT Security Policies (see below).

This policy outlines and identifies certain aspects of IT Security requirements. Additional specific policies and corresponding procedures have been drafted to provide detailed operational requirements necessary to achieve the purpose of this security policy. Those additional detailed policies can be found on the CMS Bureau of Communications and Computer Services (“BCCS”) web site <http://bccs.illinois.gov/>, and in hard copy in the personnel office of the 401 South Spring, Wm. G. Stratton Building; at 120 West Jefferson (BCCS) and at 100 West Randolph (James R. Thompson Center) in Chicago.

WARNING

Information Technology resources that are assets of the State of Illinois must be used for authorized state business purposes. Each covered user is authorized, as described in this policy, to access only that information which is required to do his or her job, and for reasonable personal use. Any other unauthorized use by an individual is prohibited. Use of the CMS IT resources may be audited and monitored. Access will be removed when the need no longer exists for the user to perform his or her job. Noncompliance with IT Security Policy may be

cause for disciplinary action for misuse of state property, up to and including discharge, as well as monetary charges being assessed where appropriate.

Access will be revoked if not used within a time period established by the CMS IT Security Office. Additional deactivation or revocation of access privileges may be applied based upon operational or security needs. Any accessing or attempting to access CMS resources other than as described in this policy is subject to prosecution. CMS may monitor for unauthorized access by covered users.

Computer crime is punishable in accordance with 720ILCS 5/16D Computer Crime Prevention Law.

IDENTIFICATION AND AUTHENTICATION – See IT Resource Access Policy.

USER RESPONSIBILITIES – See General Security for Statewide IT Resources Policy.

COMPUTER SOFTWARE

Programs that run on a Computer are the “software.” This includes commercial off the shelf (COTS) packages residing on the LAN, such as word processing or spreadsheets, as well as CMS fully or partially custom-developed software, such as the Timekeeping System. All such software and data files developed on state owned or controlled IT resources are for official business only. Before software is installed on CMS computers, it must be reviewed and approved by the BCCS to ensure the software is compatible with existing software and is free from computer viruses.

RESPONSIBLE CARE

All covered users shall maintain a clean work area and guard against potential damage to hardware or destruction of data through spillage, carelessness, etc.

Laptops shall be stored in secure areas when not in use. Users shall use reasonable caution with laptops when traveling. Each laptop is issued with a card listing its make, model and serial number. This information will be needed when notifying the local police in case of theft or loss. The card also lists the phone numbers with which to contact CMS after the police have been notified. The card must be kept separate from the laptop. Additionally, a green card supplied with each laptop lists many security tips for the user.

All IT equipment relocation shall be coordinated in advance through BCCS.

A user must return any CMS hardware and any CMS software that a user has had in his/her possession prior to leaving the employment of CMS.

Associated detailed CMS IT Security Policies cover the following:

Use of the Internet – See the IT Resource Access Policy and the General Security for Statewide IT Resources Policy;

Electronic Mail – See the IT Resource Access Policy and the General Security for Statewide IT Resources Policy;

Accountability – See the General Security for Statewide IT Resources Policy; and

Passwords – See the General Security for Statewide IT Resources Policy.

MANAGER / SUPERVISOR RESPONSIBILITIES

Managers and supervisors are responsible for:

1. Ensuring all users have access only to data needed to perform their jobs.
2. Ensuring all users understand their obligations to protect IT resources.
3. Implementing required security practices.
4. Reporting noncompliance and initiating corrective action.

RESOURCE CUSTODIAN RESPONSIBILITIES

A system (a coordinated configuration of hardware and software that provides an automated business function where information/data is processed, transmitted and stored) shall have a resource custodian (defined in the glossary and the General Security for Statewide IT Resources Policy) who has authority to manage the system including determining who should have access to the system. He or she is responsible for:

1. Determining the level of security required for the various components (e.g. different types of data, IT equipment) of the system.
2. Establishing procedures for granting, updating, and removing access rights to the components.
3. Ensuring that the current user access rights are reviewed periodically to determine if they are still appropriate.

Subject **Use of State Vehicles and Private Vehicles for State Business**
Chapter 4
Section 4
Effective 09-01-98 Approved 

The following are general regulations governing use of a vehicle by a CMS employee. More specific information governing vehicle usage is contained in the Vehicle Operators' Manual. Copies of the manual are placed in each vehicle, or can be obtained by contacting the Division of Vehicles, 200 East Ash, Springfield, Illinois 62706.

Reserving a Motor Pool Vehicle

To use a motor pool car, reservations should be made 24 hours in advance. Prior to receipt of vehicle, the driver must obtain a Vehicle Request Form (IL 401-0206) from the vehicle coordinator, and complete the following information: name of agency, name of division, driver's name, billing account code, date and time of pick up, date and time of return, destination, number of passengers, driver's home and work phone numbers, amount of cargo, and authorization for renting the vehicle.

The Vehicle Request Form (IL 401-0206) and a valid Illinois driver's license must be presented to the Motor Pool when the vehicle is picked up.

Requests to use vehicles for more than five days must be signed by the Director.

Use of Personal Vehicles

The Director shall allow the use of a personal vehicle on state business when a state owned vehicle is not available or where it is in the best interest of the State.

For a personal vehicle to be used on state business, however, the vehicle must be insured for the appropriate amount of auto liability insurance in accordance with state travel regulations. Minimum amounts of insurance coverage are as follows:

Bodily Injury (Individual):	\$20,000
Bodily Injury (Multiple):	\$40,000
Property Damage:	\$15,000

Any compensation to an employee for use of a personal vehicle on state business shall be in accordance with the state travel regulations established by the Travel Control Board.

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Subject	<u>Use of State Vehicles/ Private Vehicles for State Business</u>
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Operator Rules and Regulations

The operator is responsible for proper vehicle use and care. A driver must:

Possess a valid driver's license.

Drive safely, obey all traffic laws; and practice road courtesy.

Wear a seat belt as provided in each vehicle and require that all passengers wear them.

Observe all state and federal laws pertaining to alcohol and drug transportation and consumption.

Maintain the vehicle in safe operating condition and carefully secure any cargo.

Be aware of security when parking or garaging the vehicle.

Ensure that the vehicle is used for official and authorized trips only.

Use state-owned fueling facilities unless they are more than ten miles away, or it is an emergency.

Fuel the vehicle only with gasohol, whenever possible.

Comply with agency instructions concerning notification and repairs in the event of a breakdown or damage which prevents further operation of the vehicle.

Report all accidents to the proper authority. For accidents involving serious injuries or death, contact the Illinois State Risk Management Division at 217-782-0202 or 800-442-1300 (then depress #2), or TDD, 800-526-0844. Report immediately to the local police department, county sheriff, or state highway patrol all accidents involving injuries or fatalities, a second vehicle, or another party, if damages of \$500 or more are incurred. Assume responsibility for violations and ones incurred while operating the vehicle, unless such violations are equipment related.

Return vehicle to the motor pool upon completion of official duties.

Remove the ignition keys and lock all vehicles left unattended. When parking in a state parking facility, leave keys with the dispatcher.

Authorized Use of State Vehicles

State owned vehicles are authorized for use in the performance of all essential travel duties related to the completion of state business. They are not authorized for personal trips unrelated to state business; to transport passengers who are not state employees; or to attempt tasks which are beyond the vehicle's capabilities.

Authorized use of state vehicles includes:

Travel between the place where the state vehicle is dispatched and the place where the official state business is performed.

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When on official travel status, use between the place of state business and the place of temporary lodging.

When on official travel status and not within reasonable walking distance, use between lodging and work location and:

Places to obtain meals, located reasonably nearby lodging and/or work location.

Places to obtain medical assistance, including drug stores.

Similar places required to sustain the health, welfare, or continued efficient performance of the driver.

Transport of other officers, employees, or guests of the State when they are on official state business.

Transport of consultants, contractors, or commercial firm representatives when such transport is in the direct interest of the State.

Transport of materials, supplies, parcels, luggage, or other items belonging to or serving the interests of the State.

Transport of any person or item in an emergency situation.

Travel between the place of dispatch or place of performance of state business to an employee's personal residence when specifically authorized by the proper authority. A recent federal government regulation now classifies such use of a vehicle as a taxable fringe benefit. If an employer regularly uses a state vehicle to commute between home and work, see "Use of State Vehicles for Commuting" in chapter two of the Vehicle Operator's Manual.

Unauthorized Use of State Vehicles

Unauthorized use of state vehicles may result in immediate disciplinary action, up to and including discharge. Discipline may also include suspension of all privileges to operate state vehicles. A state driver is not covered by liability insurance when engaging in unauthorized use of state vehicles.

Following are examples of prohibited uses of state vehicles:

Use for personal purposes, other than commuting or those which have been specified in Item H of "Authorized Uses" in this chapter.

Travel or tasks that are beyond the vehicle's rated capability.

Transport of families, friends, associates, or other persons not employed by the State or in the interests of the State. The Director will determine if questionable travel is in the interest of the State.

Transport of hitch-hikers.

Transport of cargo that has no relation to the performance of official state business.

Transport of acids, explosives, weapons, ammunition, or highly flammable material, except by specific authorization or in an emergency situation.

Transport of items or equipment projecting from the side, front, or rear of the vehicle in a way that constitutes an obstruction to safe driving, a hazard to pedestrians, or to other vehicles.

Transport when on official state business, of other employees not on official state business, from headquarters to restaurants, cafes, drugstores, or other places which are not in the service of state business.

Travel to entertainment and recreational events, for vacation purposes, or any travel that is not in the service of state business.

Extending the length of time the operator possesses the vehicle beyond what is needed to complete the official purpose of the trip.

Possession and consumption of alcohol or drugs in state vehicles or in private vehicles being used on state business is in strict violation of state law. For a detailed explanation of the laws in effect, refer to the Vehicle Operators' Manual located in each vehicle.

Driver's Licenses, Permits, and Watercraft Operating Privileges

Each employee who operates a state vehicle or a private vehicle at state expense shall have a valid driver's or operator's license, permit or watercraft operating privilege, including any endorsement required for operation of such vehicle. The employee is to immediately notify the supervisor if his or her license, permit, privilege or endorsement becomes invalid, suspended, revoked or lost. Any such employee who fails to report the above information shall be subject to disciplinary action, up to and including discharge. For complete details on proper licensing or appropriate disciplinary procedures, refer to the Vehicle Operators' Manual.

Off-Duty Usage and Personal Use

Any state owned vehicle not assigned to a specific employee shall not be used for the transportation of the state employee between that employee's office and employee's home, unless one or more of the following conditions are met:

When the employee using the vehicle has a travel assignment that begins or ends at the employee's home.

When the employee using the vehicle must begin or end a travel assignment outside normal state working hours.

When it is in the best interest of the State and approved by the agency.

State-owned vehicles, assigned or non-assigned, shall not be used for transportation to restaurants, shopping centers, etc., unless the transportation is related to the performance of state duties, or otherwise incident to the employee's duties.

Any employee who utilizes a state vehicle for personal use:

shall pay to the State for each mile or fractional mile of personal use the amount which the State reimburses employees for official travel (see 80 Ill. Adm. Code 3000.300(f)(2));

does so solely at the risk of the employee and any personal injury or property damage to the employee, to state property, or to the person or property of others is the personal responsibility of the employee;

may be subject to disciplinary action up to and including discharge. Factors which would mitigate against discipline include, but are not limited to:

the personal use was unavoidable, due to an emergency;

the personal use was of a brief duration and incident to the employee's duties;

the personal use was for a purpose that could not have been accomplished outside normal business hours;

the personal use did not result in the employee's departure from the route that would otherwise have been taken to perform business duties.

Credit Cards

An official vehicle equipment credit card is assigned to each state-owned vehicle. The credit card is to be used exclusively for the official vehicle to which it is assigned. Costs incurred for the operation of this vehicle (gasoline, oil, parts, labor, etc.) are to be charged to this credit card.

If a vehicle credit card is lost or damaged, the individual responsible must immediately notify the CMS Division of Vehicles and the vehicle coordinator.

Fuel, Oil, and Other Purchases

If there is a state-owned garage or service station within a ten mile radius, the driver must make purchases at this source except in the event of an emergency. A map showing the location of each DOV site, with detailed information regarding services and location, is provided in the glove compartment of each vehicle.

A self-service island must be used except when the driver of the vehicle is physically unable to operate a self-service pump.

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Traffic or Parking Violations

Citations for moving or parking violations are the responsibility of the driver. Any tickets received due to mechanical defects are the responsibility of the agency. Refer to the Vehicle Operator's Manual located in each vehicle for instructions regarding any citations received.

Accident Report Procedures

Please follow the procedures detailed below in case of any accident involving a state owned or operated motor vehicle:

- Notify police and get an accident report.
- Remain silent on the issue of who is at fault.
- Fill out Motor Report of Illinois Vehicles Accident Form (SR-1).

These forms are provided:

- In the glove compartment of each state vehicle.
- By a state trooper investigating the accident.
- From the vehicle coordinator.

Telephone the vehicle coordinator immediately to report the details of the accident. In the event an accident is after work hours, please call the Emergency Services telephone number on the back of the vehicle credit card.

If the accident involves severe bodily injury, death, or substantial property damage, contact the Division of Risk Management immediately at 217-782-0202 or 800-442-1300 (then depress #2), or TDD# 800-526-0844.

Contact the Division of Risk Management before making a settlement or if asked to sign a release.

All accidents must be reported to the Division of Risk Management within ten days to ensure coverage under the state auto liability plan. Complete cooperation with the Division of Risk Management is required.

If a privately owned vehicle is involved in an accident, an SR-1 Form must be completed using the operator's personal insurance information and noting that the vehicle is private owned. The operator should also contact his/her private auto insurance company.

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Subject	<u>Use of State Vehicles/ Private Vehicles for State Business</u>
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Insurance Cards

Insurance cards are issued to all State of Illinois vehicles. These cards certify that vehicles are covered under the State of Illinois self-insured blanket auto liability program. A liability limit of \$2 million per single occurrence is provided by this coverage. Use of this card is restricted to official state owned vehicles only.

Subject Travel
Chapter 4
Section 5
Effective 10-01-17 Approved 21.21.21 

A Central Management Services employee will be reimbursed for travel expenses in accordance with the Travel Rules of the Governor’s Travel Control Board and the CMS Fiscal Operations Policy

Travel Control Board Rules:

<https://www.illinois.gov/cms/Employees/travel/Pages/default.aspx>

CMS Fiscal Policy:

<https://cms2.portal.illinois.gov/Pages/fp070102.aspx>

Travel Forms:

<https://cms2.portal.illinois.gov/manuals/Pages/forms.aspx>

An employee covered by the Fair Labor Standards Act will be paid for expenses as covered by the Act. If an employee does not obtain appropriate prior approval for such travel, he/she may be subject to discipline.

Approval Process

Travelers shall prepare a Travel Arrangement Form (CMS-41) as soon as travel details are known. Once approved through the regular management levels, signature approval is required by the Bureau Fiscal Officer and Bureau Manager. Travel by bureau managers must be approved by the Director. After the final approval is obtained, the CMS-41 is returned to the traveler who shall attach the document to their travel voucher.

In state travel requests to attend conferences and seminars must also be approved by the Director; such requests should be submitted at least three (3) weeks prior to the date of travel.

All out-of-state travel requests must be submitted on the Out of State Travel Request form and requires the Director’s review and approval regardless of the traveler’s position classification. Out-of-state requests must be in compliance with the policies of the Governor’s Travel Control Board. Except for emergency situations, out-of-state travel requests must be processed and submitted to the Director at least five (5) weeks in advance of the date of travel.

Subject	<u>Travel</u>
Chapter	<u>4</u>
Section	<u>5</u>

Expenditure Reimbursement Process/Timely Submission of Travel Vouchers

Good fiscal management and control practices require that employees submit Travel Vouchers in a timely manner. With the passage of time, Travel Vouchers filed late are more susceptible to errors, incomplete or improper documentation, and/or fraud. This Fiscal Operations Policy defines general Department of Central Management Services' policy related to the timely submission of Travel Vouchers.

General Statement

It is the policy of the Department of Central Management Services that employees shall submit Travel Vouchers for review and the employee's supervisor must signify approval by signing and dating the Travel Voucher within sixty (60) days of the last date of travel on the voucher. If a travel status spans the ending and beginning of a month, the last date of travel shall define the month of travel for the purpose of determining timely submission under this policy.

Employee Responsibility

Employees are individually responsible for accurate and timely submission of Travel Vouchers in a manner consistent with established policies and procedures. Travel vouchers are to be submitted to the appropriate reviewing office as required by the employee's supervisor, and in accordance with Section 2800.250 of the Governor's Travel Control Board Travel rules. Every travel voucher must have adequate supporting documentation attached including, but not limited to, receipts that support the expenses claimed. Employees attending conferences are required to submit a copy of conference agenda to support meal reimbursement claims while attending conferences, pursuant to Section 2800.500 of the Governor's Travel Control Board Travel rules, which stipulates meal or per diem allowances shall be reduced by the applicable meal allowance if a conference fee includes a meal.

Furthermore, if an employee is provided a meal while on travel status, and the person or entity providing the meal submits a claim to the State in any manner for payment of that meal, the employee must deduct from his/her respective per diem claim the meal allowance corresponding to the meal provided for the employee and claimed by the person or entity. It is the responsibility of the employee to inquire of any person or entity providing such a meal whether the person or entity will submit a claim to the State in any manner for payment of that meal.

Employees who knowingly submit inaccurate and/or unjustifiably late Travel Vouchers may be subject to appropriate disciplinary action up to and including discharge.

Subject **Purchase of State Property**
Chapter 4
Section 6
Effective 09-01-98 Approved 

An employee of the Department of Central Management Services, as well as his/her family members living within the same household, is not permitted to purchase surplus state property or vehicles at auctions or sales conducted by the CMS Division of Property Control.

A Central Management Services employee is also not permitted to submit sealed bids for purchase of inoperable vehicles, scrap or other equipment or commodities which may be sold periodically on a sealed bid basis by the Division of Property Control.

No employee of CMS should consult with or advise individuals or firms regarding the condition of surplus state property or vehicles being sold at auction or bid. An employee is also precluded from having a financial relationship with or interest in any firm which bids on state property.

Upon completion of the sale/auction, a list of successful bidders is forwarded to the Office of Internal Personnel for review. If it is determined an employee is in violation of this policy, disciplinary action may result, including but not limited to the return of the property/vehicle at the employee's expense.

Subject **Use of State Vehicle**
Chapter 4
Section 7
Effective 12/3/04

Approved 

The following policy applies to all Department of Central Management Services employees who utilize state vehicles:

The State of Illinois vehicle provided to you is for use only during the course of official State business. Because the vehicle is property of the State of Illinois, you have no expectation of privacy in the vehicle or its contents. Any State-owned vehicle is subject to search without consent or notice at any time by appropriate personnel of the State of Illinois or law enforcement.